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# Orders and Notices

## Legislative Assembly of the Province of Ontario



**1st Session, 34th Parliament**  
**Wednesday, April 6, 1988**



## GOVERNMENT BILLS AND ORDERS

1. *Second Reading* Bill 4, An Act to amend the Metropolitan Toronto Police Force Complaints Act, 1984. *Mr Scott.* **PRINTED.**
  2. *Second Reading* Bill 5, An Act to amend the Proceedings Against the Crown Act. *Mr Scott.* **PRINTED.**
  3. *Second Reading* Bill 6, An Act to amend the Execution Act. *Mr Scott.* **PRINTED.**
  4. *Second Reading* Bill 7, An Act to implement the Model Law on International Commercial Arbitration adopted by the United Nations Commission on International Trade Law. *Mr Scott.* **PRINTED.**
- Deuxième lecture* Projet de loi 7, Loi portant mise en application de la Loi type sur l'arbitrage commercial international adoptée par la Commission des Nations Unies pour le droit commercial international. *M. Scott.* **IMPRIMÉ.**
5. *Second Reading* Bill 9, An Act permitting Trustees and other Persons to dispose of South African investments. *Mr Scott.* **PRINTED.**
- Deuxième lecture* Projet de loi 9, Loi permettant aux fiduciaires et à d'autres personnes d'aliéner les placements sud-africains. *M. Scott.* **IMPRIMÉ.**
6. *Second Reading* Bill 15, An Act to amend the Barristers Act. *Mr Scott.* **PRINTED.**
  7. *Second Reading* Bill 22, An Act to regulate Motor Vehicle Repairs. *Mr Wrye.* **PRINTED.**
  8. *Second Reading* Bill 26, An Act to regulate Prepaid Services. *Mr Wrye.* **PRINTED.**
  9. *Second Reading* Bill 27, An Act respecting Prearranged and Prepaid Funerals. *Mr Wrye.* **PRINTED.**
  10. *Second Reading* Bill 28, An Act to amend the Funeral Services Act. *Mrs Caplan.* **PRINTED.**
  11. *Second Reading* Bill 52, An Act to amend the Consumer Reporting Act. *Mr Wrye.* **PRINTED.**
  12. *Second Reading* Bill 59, An Act to amend the Municipal Act and certain other Acts related to municipalities. *Mr Eakins.* **PRINTED.**
  13. *Second Reading* Bill 66, An Act respecting Agricultural and Horticultural Organizations. *Mr Riddell.* **PRINTED.\***

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\*Lieutenant Governor's Recommendation received.



14. *Second Reading* Bill 68, An Act to promote the Conservation of Certain Land. *Mr Kerrio.* **PRINTED.**
15. *Second Reading* Bill 69, An Act to amend the Education Act. *Mr Ward.* **PRINTED.**
16. *Second Reading* Bill 70, An Act to amend the Education Act. *Mr Ward.* **PRINTED.**
17. *Second Reading* Bill 76, An Act to amend the Education Act and certain other Acts related to Education. *Mr Ward.* **PRINTED.**
18. *Second Reading* Bill 77, An Act to amend the Municipal Elections Act and the Assessment Act. *Mr Eakins.* **PRINTED.**
19. *Second Reading* Bill 78, An Act respecting the Sale of Farm Implements. *Mr Riddell.* **PRINTED.**
20. *Second Reading* Bill 82, An Act respecting Energy Efficiency. *Mr Wong.* **PRINTED.**
21. *Second Reading* Bill 83, An Act respecting the Protection of Farm Practices. *Mr Riddell.* **PRINTED.**
22. *Second Reading* Bill 84, An Act to amend the Corporations Tax Act. *Mr Grandmaître.* **PRINTED.\***
23. *Second Reading* Bill 85, An Act to amend the Mining Tax Act. *Mr Grandmaître.* **PRINTED.\***
24. *Second Reading* Bill 86, An Act to amend the Highway Traffic Act. *Mr Fulton.* **PRINTED.**
25. *Second Reading* Bill 87, An Act to amend the Ontario Highway Transport Board Act. *Mr Fulton.* **PRINTED.**
26. *Second Reading* Bill 88, An Act to regulate Truck Transportation. *Mr Fulton.* **PRINTED.**
27. *Second Reading* Bill 90, An Act respecting the United Nations Convention on Contracts for the International Sale of Goods. *Mr Scott.* **PRINTED.**

*Deuxième lecture* Projet de loi 90, Loi concernant la Convention des Nations Unies sur les contrats de vente internationale de marchandises. *M. Scott.* **IMPRIMÉ.**

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\*Lieutenant Governor's Recommendation received.

28. *Second Reading* Bill 93, An Act to revise the Justices of the Peace Act. *Mr Scott.* **PRINTED.**

*Deuxième lecture* Projet de loi 93, Loi portant révision de la Loi sur les juges de paix. *M. Scott.* **IMPRIMÉ.**

29. *Second Reading* Bill 98, An Act to amend the Public Transportation and Highway Improvement Act. *Mr Fulton.* **PRINTED.**
30. *Second Reading* Bill 99, An Act to amend the Ministry of Transportation and Communications Act. *Mr Fulton.* **PRINTED.**
31. *Second Reading* Bill 100, An Act to amend the Education Act. *Mr Ward.* **PRINTED.**
32. *Second Reading* Bill 101, An Act to repeal the Ministry of Transportation and Communications Creditors Payment Act. *Mr Fulton.* **PRINTED.**
33. *Second Reading* Bill 102, An Act to amend the Construction Lien Act, 1983. *Mr Fulton.* **PRINTED.**
34. *Second Reading* Bill 106, An Act to amend the Municipal Elections Act and the Municipal Act. *Mr Eakins.*
35. *Concurrence in Supply* for the Ministry of Treasury and Economics.
36. *Concurrence in Supply* for the Ministry of Skills Development.
37. *Concurrence in Supply* for the Ministry of Industry, Trade and Technology.
38. *Concurrence in Supply* for the Office of the Provincial Auditor.
39. *Concurrence in Supply* for the Office for Disabled Persons.
40. *Concurrence in Supply* for the Ministry of Housing.
41. *House in Committee of Supply.*
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## PRIVATE MEMBERS' PUBLIC BILLS AND ORDERS

### 42. *Committee of the Whole House:*

Bill 24, An Act to establish a Tourism Advisory Board. *Mr McLean.* **PRINTED.**

Bill 75, An Act to establish the Municipal Council Retirement Fund and to provide Retirement Allowances to Municipal Councillors. *Mr Cureatz.* **PRINTED.**

43. *Second Reading* Bill 3, An Act to protect the Public Health and Comfort and the Environment by Prohibiting and Controlling Smoking in Public Places. *Mr Sterling.* **PRINTED.**
44. *Second Reading* Bill 8, An Act to amend the Representation Act, 1986. *Mr Villeneuve.* **PRINTED.**
45. *Second Reading* Bill 10, An Act to amend the Election Act, 1984. *Mr Cousens.* **PRINTED.**
46. *Second Reading* Bill 12, An Act to ban Sunday racing and intertrack wagering at Greenwood Raceway and to change the composition and procedures of the Ontario Racing Commission. *Ms Bryden.* **PRINTED.**
47. *Second Reading* Bill 14, An Act to protect and enhance the Quality of Drinking Water in Ontario. *Mrs Grier.* **PRINTED.**
48. *Second Reading* Bill 16, An Act to encourage the Rehabilitation of Water Delivery Systems in Ontario. *Mrs Marland.* **PRINTED.**
49. *Second Reading* Bill 17, An Act to amend the Planning Act, 1983. *Mr Johnston (Scarborough West).* **PRINTED.**
50. *Second Reading* Bill 18, An Act to provide for the Conversion of Technologies and Skills used in the Nuclear Weapons Industry to Civilian Use. *Mr Johnston (Scarborough West).* **PRINTED.**
51. *Second Reading* Bill 23, An Act to proclaim 1995 as the 150th Anniversary of the arrival of Irish Immigrants in Canada. *Mr Pollock.* **PRINTED.**
52. *Second Reading* Bill 30, An Act to amend the Pension Benefits Act. *Mr Mackenzie.* **PRINTED.**
53. *Second Reading* Bill 31, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
54. *Second Reading* Bill 32, An Act to provide for the Employment of Disabled Persons. *Mr Mackenzie.* **PRINTED.**
55. *Second Reading* Bill 33, An Act to amend the Education Act. *Mr Mackenzie.* **PRINTED.**

56. *Second Reading* Bill 34, An Act to amend the Employment Standards Act.  
*Mr Mackenzie. PRINTED.*
57. *Second Reading* Bill 35, An Act to amend the Public Vehicles Act. *Mr Mackenzie. PRINTED.*
58. *Second Reading* Bill 36, An Act to provide Political Rights for Public Servants. *Mr Mackenzie. PRINTED.*
59. *Second Reading* Bill 37, An Act to amend the Labour Relations Act. *Mr Mackenzie. PRINTED.*
60. *Second Reading* Bill 38, An Act to amend the Labour Relations Act. *Mr Mackenzie. PRINTED.*
61. *Second Reading* Bill 39, An Act to amend the Labour Relations Act. *Mr Mackenzie. PRINTED.*
62. *Second Reading* Bill 40, An Act to amend the Labour Relations Act. *Mr Mackenzie. PRINTED.*
63. *Second Reading* Bill 41, An Act to amend the Employment Standards Act.  
*Mr Mackenzie. PRINTED.*
64. *Second Reading* Bill 42, An Act to amend the Employment Standards Act.  
*Mr Mackenzie. PRINTED.*
65. *Second Reading* Bill 43, An Act to amend the Employment Standards Act.  
*Mr Mackenzie. PRINTED.*
66. *Second Reading* Bill 44, An Act to amend the Employment Standards Act.  
*Mr Mackenzie. PRINTED.*
67. *Second Reading* Bill 45, An Act to amend the Children's Law Reform Act.  
*Mr Cousens. PRINTED.*
68. *Second Reading* Bill 47, An Act to amend the Highway Traffic Act. *Mrs Grier. PRINTED.*
69. *Second Reading* Bill 48, An Act to amend the Police Act. *Mr Eves. PRINTED.*
70. *Second Reading* Bill 49, An Act to relieve Persons from Liability in respect of voluntary Emergency Medical and First Aid Services. *Mr Haggerty. PRINTED.*
71. *Second Reading* Bill 53, An Act to provide for the Safety and Welfare of Crown Witnesses in Certain Criminal Proceedings. *Mr Runciman. PRINTED.*
72. *Second Reading* Bill 57, An Act to amend the Energy Act. *Mr Wildman. PRINTED.*



73. *Second Reading* Bill 60, An Act respecting the Sale of Farm Machinery and Equipment in Ontario. *Mr Wildman.* **PRINTED.**
74. *Second Reading* Bill 62, An Act to amend the Health Protection and Promotion Act, 1983. *Mr Henderson.* **PRINTED.**
75. *Second Reading* Bill 63, An Act to amend the Laboratory and Specimen Collection Centre Licensing Act. *Mr Henderson.* **PRINTED.**
76. *Second Reading* Bill 64, An Act to amend the Health Insurance Act. *Mr Henderson.* **PRINTED.**
77. *Second Reading* Bill 67, An Act to establish the East/Central Ontario Recreational Trails Commission. *Mr Pollock.* **PRINTED.**
78. *Second Reading* Bill 71, An Act to amend the Occupational Health and Safety Act. *Mr Rae (York South).* **PRINTED.**
79. *Second Reading* Bill 72, An Act respecting Simcoe Day. *Mr McLean.* **PRINTED.**
80. *Second Reading* Bill 73, An Act to amend the Public Service Superannuation Act. *Mr McLean.* **PRINTED.**
81. *Second Reading* Bill 74, An Act to amend the Legislative Assembly Retirement Allowances Act. *Mr McLean.* **PRINTED.**
82. *Second Reading* Bill 89, An Act requiring municipalities to establish Programs for the Recycling of Garbage. *Mrs Marland.* **PRINTED.**
83. *Second Reading* Bill 91, An Act to amend the Election Act. *Mr Sterling.* **PRINTED.**
84. *Second Reading* Bill 92, An Act to prevent unjust enrichment through the Financial Exploitation of Crime. *Mr Wildman.* **PRINTED.**
85. *Second Reading* Bill 94, An Act to prohibit Discrimination by Municipalities against Unrelated Persons Occupying Residential Property. *Mr Jackson.* **PRINTED.**
86. *Second Reading* Bill 95, An Act to amend the Children's Law Reform Act. *Mr Henderson.* **PRINTED.**
87. *Second Reading* Bill 96, An Act to amend the Highway Traffic Act. *Mr Wildman.* **PRINTED.**
88. *Second Reading* Bill 97, An Act to amend Human Rights Code, 1981. *Mr Reville.* **PRINTED.**
89. *Second Reading* Bill 103, An Act respecting Living Wills. *Mr Cureatz.* **PRINTED.**

90. *Second Reading* Bill 104, An Act to amend the Courts of Justice Act, 1984.  
*Mr Cureatz. PRINTED.*
91. *Second Reading* Bill 105, An Act to amend the Legislative Assembly Act.  
*Mr Cureatz. PRINTED.*
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## NOTICES

### GOVERNMENT MOTIONS

6. *Mr. Peterson*—Resolution—WHEREAS the *Constitution Act, 1982* came into force on April 17, 1982, following an agreement between Canada and all the provinces except Quebec;

AND WHEREAS the Government of Quebec has established a set of five proposals for constitutional change and has stated that amendments to give effect to those proposals would enable Quebec to resume a full role in the constitutional councils of Canada;

AND WHEREAS the amendment proposed in the schedule hereto sets out the basis on which Quebec's five constitutional proposals may be met;

AND WHEREAS the amendment proposed in the schedule hereto also recognizes the principle of the equality of all the provinces, provides new arrangements to foster greater harmony and cooperation between the Government of Canada and the governments of the provinces and requires that conferences be convened to consider important constitutional, economic and other issues;

AND WHEREAS certain portions of the amendment proposed in the schedule hereto relate to matters referred to in section 41 of the *Constitution Act, 1982*;

AND WHEREAS section 41 of the *Constitution Act, 1982* provides that an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and the House of Commons and of the legislative assembly of each province;

NOW THEREFORE the Legislative Assembly of Ontario resolves that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by Her Excellency the Governor General under the Great Seal of Canada in accordance with the schedule hereto.

### SCHEDULE

#### CONSTITUTION AMENDMENT, 1987

##### *Constitution Act, 1867*

1. The *Constitution Act, 1867* is amended by adding thereto, immediately after section 1 thereof, the following section:

Inter-  
pretation

“2. (1) The Constitution of Canada shall be interpreted in a manner consistent with

(a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present elsewhere



in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada; and

(b) the recognition that Quebec constitutes within Canada a distinct society.

Role of  
Parliament  
and  
legislatures

(2) The role of the Parliament of Canada and the provincial legislatures to preserve the fundamental characteristic of Canada referred to in paragraph (1)(a) is affirmed.

Role of  
legislature  
and  
Government  
of Quebec

(3) The role of the legislature and Government of Quebec to preserve and promote the distinct identity of Quebec referred to in paragraph (1)(b) is affirmed.

Rights of  
legislatures  
and  
governments  
preserved

(4) Nothing in this section derogates from the powers, rights or privileges of Parliament or the Government of Canada, or of the legislatures or governments of the provinces, including any powers, rights or privileges relating to language.”

2. The said Act is further amended by adding thereto, immediately after section 24 thereof, the following section:

Names to be  
submitted

“25. (1) Where a vacancy occurs in the Senate, the Government of the province to which the vacancy relates may, in relation to that vacancy, submit to the Queen’s Privy Council for Canada the names of persons who may be summoned to the Senate.

Choice of  
Senators  
from names  
submitted

(2) Until an amendment to the Constitution of Canada is made in relation to the Senate pursuant to section 41 of the *Constitution Act, 1982*, the person summoned to fill a vacancy in the Senate shall be chosen from among persons whose names have been submitted under subsection (1) by the government of the province to which the vacancy relates and must be acceptable to the Queen’s Privy Council for Canada.”

3. The said Act is further amended by adding thereto, immediately after section 95 thereof, the following heading and sections:

### *“Agreements on Immigration and Aliens*

Commitment  
to negotiate

95A. The Government of Canada shall, at the request of the government of any province, negotiate with the government of that province for the purpose of concluding an agreement relating to immigration or the temporary admission of aliens into that province that is appropriate to the needs and circumstances of that province.

## Agreements

**95B.** (1) Any agreement concluded between Canada and a province in relation to immigration or the temporary admission of aliens into that province has the force of law from the time it is declared to do so in accordance with subsection 95C(1) and shall from that time have effect notwithstanding class 25 of section 91 or section 95.

## Limitation

(2) An agreement that has the force of law under subsection (1) shall have effect only so long and so far as it is not repugnant to any provision of an Act of the Parliament of Canada that sets national standards and objectives relating to immigration or aliens, including any provision that establishes general classes of immigrants or relates to levels of immigration for Canada or that prescribes classes of individuals who are inadmissible into Canada.

## Application of Charter

(3) The *Canadian Charter of Rights and Freedoms* applies in respect of any agreement that has the force of law under subsection (1) and in respect of anything done by the Parliament or Government of Canada, or the legislature or government of a province, pursuant to any such agreement.

## Proclamation relating to agreements

**95C.** (1) A declaration that an agreement referred to in subsection 95B(1) has the force of law may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement.

## Amendment of agreements

(2) An amendment to an agreement referred to in subsection 95B(1) may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized

(a) by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement; or

(b) in such other manner as is set out in the agreement.

Application of sections 46 to 48 of *Constitution Act, 1982*

**95D.** Sections 46 to 48 of the *Constitution Act, 1982* apply, with such modifications as the circumstances require, in respect of any declaration made pursuant to subsection 95C(1), any amendment to an agreement made pursuant to subsection 95C(2) or any amendment made pursuant to section 95E.

## Amendments to sections 95A to 95D or this section

**95E.** An amendment to sections 95A to 95D or this section may be made in accordance with the procedure set out in subsection 38(1) of the *Constitution Act, 1982*, but only if the amendment is authorized by resolutions of the legislative assemblies of all the provinces that are, at the time of the



amendment, parties to an agreement that has the force of law under subsection 95B(1).”

4. The said Act is further amended by adding thereto, immediately preceding section 96 thereof, the following heading:

*“General”*

5. The said Act is further amended by adding thereto, immediately preceding section 101 thereof, the following heading:

*“Courts Established by the Parliament of Canada”*

6. The said Act is further amended by adding thereto, immediately after section 101 thereof, the following heading and sections:

*“Supreme Court of Canada*

Supreme  
Court  
continued

**101A.** (1) The court existing under the name of the Supreme Court of Canada is hereby continued as the general court of appeal for Canada, and as an additional court for the better administration of the laws of Canada, and shall continue to be a superior court of record.

Constitution  
of court

(2) The Supreme Court of Canada shall consist of a chief justice to be called the Chief Justice of Canada and eight other judges, who shall be appointed by the Governor General in Council by letters patent under the Great Seal.

Who may be  
appointed  
judges

**101B.** (1) Any person may be appointed a judge of the Supreme Court of Canada who, after having been admitted to the bar of any province or territory, has, for a total of at least ten years, been a judge of any court in Canada or a member of the bar of any province or territory.

Three judges  
from Quebec

(2) At least three judges of the Supreme Court of Canada shall be appointed from among persons who, after having been admitted to the bar of Quebec, have, for a total of at least ten years, been judges of any court of Quebec or of any court established by the Parliament of Canada, or members of the bar of Quebec.

Names may  
be submitted

**101C.** (1) Where a vacancy occurs in the Supreme Court of Canada, the government of each province may, in relation to that vacancy, submit to the Minister of Justice of Canada the names of any of the persons who have been admitted to the bar of that province and are qualified under section 101B for appointment to that court.

Appointment  
from names  
submitted

(2) Where an appointment is made to the Supreme Court of Canada, the Governor General in Council shall, except

where the Chief Justice is appointed from among members of the Court, appoint a person whose name has been submitted under subsection (1) and who is acceptable to the Queen's Privy Council for Canada.

Appointment  
from Quebec

(3) Where an appointment is made in accordance with subsection (2) of any of the three judges necessary to meet the requirement set out in subsection 101B(2), the Governor General in Council shall appoint a person whose name has been submitted by the Government of Quebec.

Appointment  
from other  
provinces

(4) Where an appointment is made in accordance with subsection (2) otherwise than as required under subsection (3), the Governor General in Council shall appoint a person whose name has been submitted by the government of a province other than Quebec.

Tenure,  
salaries, etc.  
of judges

**101D.** Sections 99 and 100 apply in respect of the judges of the Supreme Court of Canada.

Relationship  
to section 101

**101E.** (1) Sections 101A to 101D shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws under section 101 except to the extent that such laws are inconsistent with those sections.

References  
to the  
Supreme  
Court of  
Canada

(2) For greater certainty, section 101A shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws relating to the reference of questions of law or fact, or any other matters, to the Supreme Court of Canada."

7. The said Act is further amended by adding thereto, immediately after section 106 thereof, the following section:

Shared-cost  
program

**"106A.** (1) The Government of Canada shall provide reasonable compensation to the government of a province that chooses not to participate in a national shared-cost program that is established by the Government of Canada after the coming into force of this section in an area of exclusive provincial jurisdiction, if the province carries on a program or initiative that is compatible with the national objectives.

Legislative  
power not  
extended

(2) Nothing in this section extends the legislative powers of the Parliament of Canada or of the legislatures of the provinces."

8. The said Act is further amended by adding thereto the following heading and sections:



“XII — CONFERENCES ON THE ECONOMY AND OTHER  
MATTERS

Conferences  
on the  
economy and  
other matters

**148.** A conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year to discuss the state of Canadian economy and such other matters as may be appropriate.

XIII — REFERENCES

Reference  
includes  
amendments

**149.** A reference to this Act shall be deemed to include a reference to any amendments thereto.”

*Constitution Act, 1982*

**9.** Sections 40 to 42 of the *Constitution Act, 1982* are repealed and the following substituted therefor:

Compensation

“**40.** Where an amendment is made under subsection 38(1) that transfers legislative powers from provincial legislatures to Parliament, Canada shall provide reasonable compensation to any province to which the amendment does not apply.

Amendment  
by  
unanimous  
consent

**41.** An amendment to the Constitution of Canada in relation to the following matters may be made by proclamation issued by the Governor General under the Great Seal of Canada only where authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province:

(a) the office of the Queen, the Governor General and the Lieutenant Governor of a province;

(b) the powers of the Senate and the method of selecting Senators;

(c) the number of members by which a province is entitled to be represented in the Senate and the residence qualifications of Senators;

(d) the right of a province to a number of members in the House of Commons not less than the number of Senators by which the province was entitled to be represented on April 17, 1982;

(e) the principle of proportionate representation of the provinces in the House of Commons prescribed by the Constitution of Canada;

(f) subject to section 43, the use of the English or the French language;

(g) the Supreme Court of Canada;

(h) the extension of existing provinces into the territories;

(i) notwithstanding any other law or practice, the establishment of new provinces; and

(j) an amendment to this Part.”

**10.** Section 44 of the said Act is repealed and the following substituted therefor:

Amendments  
by  
Parliament

“**44.** Subject to section 41, Parliament may exclusively make laws amending the Constitution of Canada in relation to the executive government of Canada or the Senate and House of Commons.”

**11.** Subsection 46(1) of the said Act is repealed and the following substituted therefor:

Initiation of  
amendment  
procedures

“**46.** (1) The procedures for amendment under sections 38, 41 and 43 may be initiated either by the Senate or the House of Commons or by the legislative assembly of a province.”

**12.** Subsection 47(1) of the said Act is repealed and the following substituted therefor:

Amendments  
without  
Senate  
resolution

“**47.** (1) An amendment to the Constitution of Canada made by proclamation under section 38, 41 or 43 may be made without a resolution of the Senate authorizing the issue of the proclamation if, within one hundred and eighty days after the adoption by the House of Commons of a resolution authorizing its issue, the Senate has not adopted such a resolution and if, at any time after the expiration of that period, the House of Commons again adopts the resolution.”

**13.** Part VI of the said Act is repealed and the following substituted therefor:

#### “PART VI

#### CONSTITUTIONAL CONFERENCES

Constitutional  
conference

**50.** (1) A constitutional conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year, commencing in 1988.

Agenda

(2) The conferences convened under subsection (1) shall have included on their agenda the following matters:

(a) Senate reform, including the role and functions of the Senate, its powers, the method of selecting Senators and representation in the Senate;

(b) roles and responsibilities in relation to fisheries; and

(c) such other matters as are agreed upon.”

14. Subsection 52(2) of the said Act is amended by striking out the word “and” at the end of paragraph (b) thereof, by adding the word “and” at the end of paragraph (c) thereof and by adding thereto the following paragraph:

“(d) any other amendment to the Constitution of Canada.”

15. Section 61 of the said Act is repealed and the following substituted therefor:

References

“61. A reference to the *Constitution Act, 1982*, or a reference to the *Constitution Acts 1867 to 1982*, shall be deemed to include a reference to any amendments thereto.”

#### General

Multicultural  
heritage and  
aboriginal  
people

16. Nothing in section 2 of the *Constitution Act, 1867* affects section 25 or 27 of the *Canadian Charter of Rights and Freedoms*, section 35 of the *Constitution Act, 1982* or class 24 of section 91 of the *Constitution Act, 1867*.

#### CITATION

Citation

17. This amendment may be cited as the *Constitution Amendment, 1987*.



## M. Peterson—Résolution—

Attendu :

que la *Loi constitutionnelle de 1982* est entrée en vigueur le 17 avril 1982, à la suite d'un accord conclu entre le Canada et toutes les provinces, sauf le Québec;

que, selon le gouvernement du Québec, l'adoption de modifications visant à donner effet à ses cinq propositions de révision constitutionnelle permettrait au Québec de jouer pleinement de nouveau son rôle dans les instances constitutionnelles canadiennes;

que le projet de modification figurant en annexe présente les modalités d'un règlement relatif aux cinq propositions du Québec;

que le projet reconnaît le principe de l'égalité de toutes les provinces et prévoit, d'une part, de nouveaux arrangements propres à renforcer l'harmonie et la coopération entre le gouvernement du Canada et ceux des provinces, d'autre part la tenue de conférences consacrées à l'étude d'importantes questions constitutionnelles, économiques et autres;

que le projet porte en partie sur des questions visées à l'article 41 de la *Loi constitutionnelle de 1982*;

que cet article prévoit que la Constitution du Canada peut être modifiée par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de chaque province,

l'Assemblée législative de l'Ontario a résolu d'autoriser la modification de la Constitution du Canada par proclamation de Son Excellence le gouverneur général sous le grand sceau du Canada, en conformité avec l'annexe ci-jointe.

## ANNEXE

### MODIFICATION CONSTITUTIONNELLE DE 1987

#### *Loi constitutionnelle de 1867*

1. La *Loi constitutionnelle de 1867* est modifiée par insertion, après l'article 1, de ce qui suit:

Règle  
interprétative

«2. (1) Toute interprétation de la Constitution du Canada doit concorder avec :

a) la reconnaissance de ce que l'existence de Canadiens d'expression française, concentrés au Québec mais présents aussi dans le reste du pays, et de Canadiens d'expression anglaise, concentrés dans le reste du pays mais aussi présents au Québec, constitue une caractéristique fondamentale du Canada;

b) la reconnaissance de ce que le Québec forme au sein du Canada une société distincte.

Rôle du  
Parlement et  
des  
législatures

(2) Le Parlement du Canada et les législatures des provinces ont le rôle de protéger la caractéristique fondamentale du Canada visée à l'alinéa (1) a).

Rôle de la  
législature et  
du gouverne-  
ment du  
Québec

(3) La législature et le gouvernement du Québec ont le rôle de protéger et de promouvoir le caractère distinct du Québec visé à l'alinéa (1) b).

Maintien des  
droits des  
législatures et  
gouverne-  
ments

(4) Le présent article n'a pas pour effet de déroger aux pouvoirs, droits ou privilèges du Parlement ou du gouvernement du Canada, ou des législatures ou des gouvernements des provinces, y compris à leurs pouvoirs, droits ou privilèges en matière de langue.»

2. La même loi est modifiée par insertion, après l'article 24, de ce qui suit :

Propositions

«25. (1) En cas de vacance au Sénat, le gouvernement de la province à représenter peut proposer au Conseil privé de la Reine pour le Canada des personnes susceptibles d'être nommées au siège vacant.

Choix des  
sénateurs

(2) Jusqu'à la modification, faite conformément à l'article 41 de la *Loi constitutionnelle de 1982*, de toute disposition de la Constitution du Canada relative au Sénat, les personnes nommées aux sièges vacants au Sénat sont choisies parmi celles qui ont été proposées par le gouvernement de la province à représenter et agréées par le Conseil privé de la Reine pour le Canada.»

3. La même loi est modifiée par insertion, après l'article 95, de ce qui suit :

*«Accords relatifs à l'immigration et aux aubains*

Engagement

95A. Sur demande du gouvernement d'une province, le gouvernement du Canada négocie avec lui en vue de conclure, en matière d'immigration ou d'admission temporaire des aubains dans la province, un accord adapté aux besoins et à la situation particulière de celle-ci.

Accords

95B. (1) Tout accord conclu entre le Canada et une province en matière d'immigration ou d'admission temporaire des aubains dans la province a, une fois faite la déclaration visée au paragraphe 95C(1), force de loi et a dès lors effet indépendamment tant du point 25 de l'article 91 que de l'article 95.

## Restriction

(2) L'accord ayant ainsi force de loi n'a d'effet que dans la mesure de sa compatibilité avec les dispositions des lois du Parlement du Canada qui fixent des normes et objectifs nationaux relatifs à l'immigration et aux aubains, notamment en ce qui concerne l'établissement des catégories générales d'immigrants, les niveaux d'immigration au Canada et la détermination des catégories de personnes inadmissibles au Canada.

## Application de la Charte

(3) La *Charte canadienne des droits et libertés* s'applique aux accords ayant ainsi force de loi et à toute mesure prise sous leur régime par le Parlement ou le gouvernement du Canada ou par la législature ou le gouvernement d'une province.

## Proclamation relative aux accords

**95C.** (1) La déclaration portant qu'un accord visé au paragraphe 95B(1) a force de loi se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord.

## Modification des accords

(2) La modification d'un accord visé au paragraphe 95B(1) se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée :

a) soit par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord;

b) soit selon les modalités prévues dans l'accord même.

Application des articles 46 à 48 de la *Loi constitutionnelle de 1982*

**95D.** Les articles 46 à 48 de la *Loi constitutionnelle de 1982* s'appliquent, avec les adaptations nécessaires, à toute déclaration faite aux termes du paragraphe 95C(1), à toute modification d'un accord faite aux termes du paragraphe 95C(2) ou à toute modification faite aux termes de l'article 95E.

## Modification des articles 95A à 95D ou du présent article

**95E.** Les articles 95A à 95D ou le présent article peuvent être modifiés conformément au paragraphe 38(1) de la *Loi constitutionnelle de 1982*, à condition que la modification soit autorisée par des résolutions des assemblées législatives de toutes les provinces qui sont, à l'époque de celle-ci, parties à un accord ayant force de loi aux termes du paragraphe 95B(1).»

4. La même loi est modifiée par insertion, avant l'article 96, de ce qui suit :

«*Dispositions générales*»

5. La même loi est modifiée par insertion, avant l'article 101, de ce qui suit :



*«Tribunaux créés par le Parlement du Canada»*

6. La même loi est modifiée par insertion, après l'article 101, de ce qui suit :

*«Cour suprême du Canada*

Maintien de  
la Cour  
suprême  
du Canada

**101A.** (1) La cour qui existe sous le nom de Cour suprême du Canada est maintenue à titre de cour générale d'appel pour le Canada et de cour additionnelle propre à améliorer l'application des lois du Canada. Elle conserve ses attributions de cour supérieure d'archives.

Composition

(2) La Cour suprême du Canada se compose du juge en chef, appelé juge en chef du Canada, et de huit autres juges, que nomme le gouverneur général en conseil par lettres patentes sous le grand sceau.

Conditions  
de  
nomination

**101B.** (1) Les juges sont choisis parmi les personnes qui, après avoir été admises au barreau d'une province ou d'un territoire, ont, pendant au moins dix ans au total, été juges de n'importe quel tribunal du pays ou inscrites au barreau de n'importe quelle province ou de n'importe quel territoire.

Québec :  
trois juges

(2) Au moins trois des juges sont choisis parmi les personnes qui, après avoir été admises au barreau du Québec, ont, pendant au moins dix ans au total, été inscrites à ce barreau ou juges d'un tribunal du Québec ou d'un tribunal créé par le Parlement du Canada.

Propositions  
de  
nomination

**101C.** (1) En cas de vacance à la Cour suprême du Canada, le gouvernement de chaque province peut proposer au ministre fédéral de la Justice, pour la charge devenue vacante, des personnes admises au barreau de cette province et remplissant les conditions visées à l'article 101B.

Nomination  
parmi les  
personnes  
proposées

(2) Le gouverneur général en conseil procède aux nominations parmi les personnes proposées et qui agréent au Conseil privé de la Reine pour le Canada; le présent paragraphe ne s'applique pas à la nomination du juge en chef dans les cas où il est choisi parmi les juges de la Cour suprême du Canada.

Nomination  
parmi les  
personnes  
proposées  
par le  
Québec

(3) Dans le cas de chacune de trois nominations à faire conformément au paragraphe 101B(2), le gouverneur général en conseil nomme une personne proposée par le gouvernement du Québec.

Nomination  
parmi les  
personnes  
proposées  
par les autres  
provinces

(4) Dans le cas de toute autre nomination, le gouverneur général en conseil nomme une personne proposée par le gouvernement d'une autre province que le Québec.

Inamovibilité,  
traitement,  
etc.

**101D.** Les articles 99 et 100 s'appliquent aux juges de la Cour suprême du Canada.

Rapport avec  
l'article 101

**101E.** (1) Sous réserve que ne soient pas adoptées, dans les matières visées à l'article 101, de dispositions incompatibles avec les articles 101A à 101D, ceux-ci n'ont pas pour effet de porter atteinte à la compétence législative conférée au Parlement du Canada en ces matières.

Renvois à la  
Cour  
suprême du  
Canada

(2) Il est entendu que l'article 101A n'a pas pour effet de porter atteinte à la compétence législative du Parlement du Canada en ce qui concerne le renvoi à la Cour suprême du Canada de questions de droit ou de fait, ou de toute autre question.»

7. La même loi est modifiée par insertion, après l'article 106, de ce qui suit :

Programmes  
cofinancés

«**106A.** (1) Le gouvernement du Canada fournit une juste compensation au gouvernement d'une province qui choisit de ne pas participer à un programme national cofinancé qu'il établit après l'entrée en vigueur du présent article dans un secteur de compétence exclusive provinciale, si la province applique un programme ou une mesure compatible avec les objectifs nationaux.

Non-élargis-  
sement des  
compétences  
législatives

(2) Le présent article n'élargit pas les compétences législatives du Parlement du Canada ou des législatures des provinces.»

8. La même loi est modifiée par insertion, après l'article 147, de ce qui suit :

#### «XII. — CONFÉRENCES SUR L'ÉCONOMIE ET SUR D'AUTRES QUESTIONS

Convocation

**148.** Le premier ministre du Canada convoque au moins une fois par an une conférence réunissant les premiers ministres provinciaux et lui-même et portant sur l'économie canadienne ainsi que sur toute autre question appropriée.

#### XIII. — MENTIONS

Présomption

**149.** Toute mention de la présente loi est réputée constituer également une mention de ses modifications.»

#### *Loi constitutionnelle de 1982*

9. Les articles 40 à 42 de la *Loi constitutionnelle de 1982* sont abrogés et remplacés par ce qui suit :

Compen-  
sation

«40. Le Canada fournit une juste compensation aux provinces auxquelles ne s'applique pas une modification faite conformément au paragraphe 38(1) et relative à un transfert de compétences législatives provinciales au Parlement.

Consente-  
ment  
unanime

41. Toute modification de la Constitution du Canada portant sur les questions suivantes se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de chaque province :

a) la charge de Reine, celle de gouverneur général et celle de lieutenant-gouverneur;

b) les pouvoirs du Sénat et le mode de sélection des sénateurs;

c) le nombre des sénateurs par lesquels une province est habilitée à être représentée et les conditions de résidence qu'ils doivent remplir;

d) le droit d'une province d'avoir à la Chambre des communes un nombre de députés au moins égal à celui des sénateurs par lesquels elle était habilitée à être représentée le 17 avril 1982;

e) le principe de la représentation proportionnelle des provinces à la Chambre des communes prévu par la Constitution du Canada;

f) sous réserve de l'article 43, l'usage du français ou de l'anglais;

g) la Cour suprême du Canada;

h) le rattachement aux provinces existantes de tout ou partie des territoires;

i) par dérogation à toute autre loi ou usage, la création de provinces;

j) la modification de la présente partie.»

10. L'article 44 de la même loi est abrogé et remplacé par ce qui suit :

Modification  
par le  
Parlement

«44. Sous réserve de l'article 41, le Parlement a compétence exclusive pour modifier les dispositions de la Constitution du Canada relatives au pouvoir exécutif fédéral, au Sénat ou à la Chambre des communes.»



11. Le paragraphe 46(1) de la même loi est abrogé et remplacé par ce qui suit :

Initiative des  
procédures

«46. (1) L'initiative des procédures de modification visées aux articles 38, 41 et 43 appartient au Sénat, à la Chambre des communes ou à une assemblée législative.»

12. Le paragraphe 47(1) de la même loi est abrogé et remplacé par ce qui suit :

Modification  
sans  
résolution du  
Sénat

«47.(1) Dans les cas visés à l'article 38, 41 ou 43, il peut être passé outre au défaut d'autorisation du Sénat si celui-ci n'a pas adopté de résolution dans un délai de cent quatre-vingts jours suivant l'adoption de celle de la Chambre des communes et si cette dernière, après l'expiration du délai, adopte une nouvelle résolution dans le même sens.»

13. La partie VI de la même loi est abrogée et remplacée par ce qui suit :

#### «PARTIE VI

#### CONFÉRENCES CONSTITUTIONNELLES

Convocation

50. (1) Le premier ministre du Canada convoque au moins une fois par an une conférence constitutionnelle réunissant les premiers ministres provinciaux et lui-même, la première devant avoir lieu en 1988.

Ordre du  
jour

(2) Sont placées à l'ordre du jour de ces conférences les questions suivantes :

a) la réforme du Sénat, y compris son rôle et ses fonctions, ses pouvoirs, le mode de sélection des sénateurs et la représentation au Sénat;

b) les rôles et les responsabilités en matière de pêches;

c) toutes autres questions dont il est convenu.»

14. Le paragraphe 52(2) de la même loi est modifié par adjonction de ce qui suit :

«d) les autres modifications qui lui sont apportées.»

15. L'article 61 de la même loi est abrogé et remplacé par ce qui suit :

Mentions

«61. Toute mention de la *Loi constitutionnelle de 1982* ou des *Lois constitutionnelles de 1867 à 1982* est réputée constituer également une mention de leurs modifications.»

*Dispositions générales*

Patrimoine  
multiculturel  
et peuples  
autochtones

16. L'article 2 de la *Loi constitutionnelle de 1867* n'a pas pour effet de porter atteinte aux articles 25 ou 27 de la *Charte canadienne des droits et libertés*, à l'article 35 de la *Loi constitutionnelle de 1982* ou au point 24 de l'article 91 de la *Loi constitutionnelle de 1867*.

## TITRE

Titre

17. Titre de la présente modification : *Modification constitutionnelle de 1987*.

9. *Mr Nixon*—Resolution—That the Treasurer of Ontario be authorized to pay the salaries of the civil servants and other necessary payments pending the voting of supply for the period commencing April 16, 1988, and ending June 30, 1988, such payments to be charged to the proper appropriation following the voting of supply.
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## PRIVATE MEMBERS' MOTIONS

1. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that huge rent increases year after year are constituting a threat to the competitiveness and survival of retail business in commercial strips serving residential neighbourhoods, the Government of Ontario should introduce legislation as soon as possible to regulate the rents for such business establishments in order to provide those businesses with protection from gouging landlords comparable to the protection given to tenants of residential rental premises under the Residential Rent Regulation Act, 1986.
2. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that part-time workers in both the public and private sector are discriminated against by the denial of many benefits and rights provided to other workers in the same establishment, a charter of rights for part-time workers should be added to both the Employment Standards Act and the Labour Relations Act to provide pro rata benefits and collective bargaining rights to such workers and that they be made eligible for severance pay and retraining and readjustment programs provided for other workers displaced by technological change in the same establishment.
4. *Mr Morin-Strom*—Resolution—That, in the opinion of this House, recognizing the importance of the TransCanada Highway to our nation and to our province, the government of Ontario should upgrade the TransCanada Highway to a modern four-lane system through Northern Ontario to the Manitoba border, and that the government should immediately commence design and schedule construction to ensure completion across Northern Ontario by 1997.
9. *Mr Wildman*—Resolution—That, in the opinion of this House, the plans of the Canada Post Corporation to close, amalgamate or franchise many rural post offices and to eliminate or tender rural route services in order to reduce its operating deficit would reduce essential mail services from many rural Ontario communities, causing severe hardship and inconvenience to rural Ontarians, particularly the elderly and disabled; the Government of Ontario should urge the Government of Canada to halt, immediately, these plans to cut service and maintain and improve rural postal services across Ontario.
10. *Mr Swart*—Resolution—That, in the opinion of this House, recognizing the particular desirability of the protection of consumers of bereavement services from the business practices associated with corporate concentration and the desirability of fostering and encouraging the small business sector in Ontario, the Government of Ontario should introduce legislation as soon as possible to further regulate the bereavement industry to ensure the following:
  1. That a Board of Bereavement Services, composed of representatives of the public and the various sectors and sub-sectors of the bereavement services industry, be constituted to make recommendations to the Minister of Consumer and Commercial Relations and the Minister of Health on further reforms of the regulation of bereavement services



and to act as the licensing and regulating body for funeral directors, funeral service establishments, cemeterians, cemeteries, monument builders and monument building firms;

2. That the bereavement services industry be divided into three sectors, consisting of cemeteries, funeral services and monument builders and that no proprietor, partnership or corporate entity be allowed to offer services in more than one of these sectors and that any operator who currently offers services in more than one of the sectors be allowed five years to divest itself of operations in more than one sector and where one corporate entity owns more than twenty-five per cent of the shares in other corporate entities operating in more than one of the sectors, relations between such entities shall be at arm's length;
  3. That funeral service establishments may act as agents for monument building firms in rural areas where the Board of Bereavement Services establishes that a consumer need exists and where there is no monument building firm willing to establish in such rural areas;
  4. That the ownership of any proprietorship, partnership or corporate entity involved in the provision of bereavement services must be fully disclosed to the public, including the names of all shareholders in a corporate entity who hold more than ten per cent of the shares in such entity;
  5. That no funeral service facility be allowed on the grounds of, or adjoining the grounds of, a cemetery;
  6. That for the purpose of provincial business and corporate income taxation, as well as for the purpose of municipal property taxation, cemeteries be categorized as either non-profit or commercial and that those categorized as non-profit be exempt from income and property tax and those categorized as commercial be subject to income taxation and to property taxation on all lands less each grave space occupied by a deceased person;
  7. That funeral services be sold only by a licensed funeral director through a licensed funeral service establishment, cemetery services be sold only by a licensed cemeterian through a licensed cemetery and upright monument services be sold only by a licensed monument builder through a licensed monument building firm; and
  8. That there be no telephone or door-to-door solicitation of funeral, cemetery or monument services.
12. *Mr Runciman*—Resolution—That, in the opinion of this House, recognizing that there have been twenty-eight bank branch closures across Ontario between 1982 and 1986 which have left many small communities without adequate banking services, the Government of Ontario should review all requests for satellite banking services and establish Province of Ontario Savings Offices in those areas where population levels demonstrate a need for them and where financial benefit can be determined.

13. *Mr Sterling*—Resolution—That, in the opinion of this House, recognizing the devastating and lethal impact of tobacco on the health of our citizenry, and recognizing the tobacco industry's attempt to advertise in a manner designed to undermine the health warnings of its hazardous product, the Government of Ontario should pursue every opportunity to express its support for the Federal Government's initiative, Bill C-51, the *Tobacco Products Control Act*, An Act to prohibit the advertising and promotion and respecting the labelling and monitoring of tobacco products.
  
15. *Mr Runciman*—Resolution—That, in the opinion of this House, the Government of Ontario should immediately implement the 1986 recommendation of the Standing Committee on the Legislative Assembly to provide that all Order-In-Council appointments be subject to review by a Committee of this Legislature.
  
16. *Miss Martel*—Resolution—That, in the opinion of this House, this Legislature condemns the Government of Ontario for its failure to establish the Northern Ontario Heritage Fund as outlined in the Budget of May 20, 1987 and in the Speech from the Throne of November 3, 1987 therefore this Legislature strongly urges the Government to:
  - immediately establish the Northern Ontario Heritage Fund;
  - ensure that Northerners, through committees representing Northern communities, labour, Native groups, women's groups and local small businesses, control the disbursement of the Fund; and
  - provide substantial funding to help ensure long-term economic growth and diversification of the region.
  
17. *Mr. Kanter*—Resolution—That, in the opinion of this House, recognizing that organ transplants constitute a cost efficient medical practice that has saved lives and improved the quality of life for thousands of Ontario residents, and recognizing further that hundreds of Ontario residents wait desperately for organs that could give them a second chance at life, physicians should therefore be reminded, through their routine procedures, to consider whether a person who dies in a public hospital is a suitable organ donor and whether it is appropriate to approach the family of the deceased for consent to the transplant of any of the organs of the deceased, therefore the Government should amend the regulations under the *Public Hospitals Act* to require every public hospital to include questions similar to the following in any form required by the hospital to be completed by a physician to record the death of a patient in the hospital:
  1. Has the patient been considered as an organ donor.
  2. Are the wishes of the patient regarding donation of his or her organs known.
  3. Are the wishes of the patient's family regarding the donation of the patient's organs known.

4. (a) Has consent for organ or tissue donation been obtained.

(b) If so, what organs or tissue have been donated.

18. *Mr. Rae (York South)*—Resolution—That, in the opinion of this House, recognizing that more than one thousand Canadian workers are killed on the job in each year; and recognizing that hundreds of thousands more are injured on the job, thousands of whom are permanently disabled; and recognizing that thousands more suffer and die from disease caused by exposure to toxic substances at the workplace, and further recognizing, that the memories of the workers who have died and the suffering of the still-living victims must be honoured; therefore, the Government of Ontario should declare the 28th day of April in each year as a day of mourning and recognition for the victims of work-related injury and disease, to be observed by a minute of silence and the lowering of flags to half-mast.
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## QUESTIONS

*(Questions are to appear on the day after they are tabled and on every subsequent day in the week they are tabled and then subsequently only on each Monday until an Answer (other than an Interim Answer) is tabled. A question tabled on a Thursday will appear on each day of the following week.)*

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97. *Mr Breagh*—Enquiry of the Ministry—Would the Minister of Government Services list all lands owned by the provincial government and its agencies within the boundaries of Metropolitan Toronto, the Regional Municipality of Peel, the Regional Municipality of York, and the Regional Municipality of Durham. *April 5, 1988.*
  
  98. *Mr Rae*—Enquiry of the Ministry—Would the Minister of Health provide the following information: (1) How many paid intern positions in public teaching hospitals have been set in Ontario for 1986, 1987, 1988. (2) How many residency positions in public teaching hospitals have been set in Ontario for 1986, 1987, 1988. (3) What are the average hours worked (a) in a week; and (b) in a month by (i) residents in public teaching hospitals; (ii) interns in public teaching hospitals; (iii) registered nurses; and (iv) other staff. *April 5, 1988.*
  
  99. *Mr Rae*—Enquiry of the Ministry—Would the Minister of Labour provide, for the year 1987, what special permits for hours of work were issued to public teaching hospitals in Ontario under the Employment Standards Act. Please specify. Has the Ministry any estimate of average time worked by residents, interns, and nurses in Ontario's teaching hospitals. *April 5, 1988.*
  
  100. *Mr McLean*—Enquiry of the Ministry—Would the Minister of Tourism and Recreation explain the purpose of his recent trip to Calgary, Alberta, during the 15th Winter Olympic Games and provide the following information: the cost of the trip; how many people accompanied the Minister and who they were; the cost for limousine services; the cost for receptions held by the Minister and who they were for. *April 6, 1988.*
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## PRIVATE MEMBERS' BUSINESS TO BE DEBATED

*(Precedence in accordance with the Standing Order 71 (d).)*

### Ballot Item No. 11

*Mr. Rae (York South)*—Resolution—That, in the opinion of this House, recognizing that more than one thousand Canadian workers are killed on the job in each year; and recognizing that hundreds of thousands more are injured on the job, thousands of whom are permanently disabled; and recognizing that thousands more suffer and die from disease caused by exposure to toxic substances at the workplace, and further recognizing, that the memories of the workers who have died and the suffering of the still-living victims must be honoured; therefore, the Government of Ontario should declare the 28th day of April in each year as a day of mourning and recognition for the victims of work-related injury and disease, to be observed by a minute of silence and the lowering of flags to half-mast. *To be debated on Thursday, April 7, 1988.*

### Ballot Item No. 12

*Mr Runciman*—Resolution—That, in the opinion of this House, the Government of Ontario should immediately implement the 1986 recommendation of the Standing Committee on the Legislative Assembly to provide that all Order-In-Council appointments be subject to review by a Committee of this Legislature. *To be debated on Thursday, April 7, 1988.*

### Ballot Item No. 13

*Mr. Kanter*—Resolution—That, in the opinion of this House, recognizing that organ transplants constitute a cost efficient medical practice that has saved lives and improved the quality of life for thousands of Ontario residents, and recognizing further that hundreds of Ontario residents wait desperately for organs that could give them a second chance at life, physicians should therefore be reminded, through their routine procedures, to consider whether a person who dies in a public hospital is a suitable organ donor and whether it is appropriate to approach the family of the deceased for consent to the transplant of any of the organs of the deceased, therefore the Government should amend the regulations under the *Public Hospitals Act* to require every public hospital to include questions similar to the following in any form required by the hospital to be completed by a physician to record the death of a patient in the hospital:

1. Has the patient been considered as an organ donor.
2. Are the wishes of the patient regarding donation of his or her organs known.
3. Are the wishes of the patient's family regarding the donation of the patient's organs known.

4. (a) Has consent for organ or tissue donation been obtained.
- (b) If so, what organs or tissue have been donated.

*To be debated on Thursday, April 14, 1988.*

Ballot Item No. 14

*Miss Martel*—Resolution—That, in the opinion of this House, this Legislature condemns the Government of Ontario for its failure to establish the Northern Ontario Heritage Fund as outlined in the Budget of May 20, 1987 and in the Speech from the Throne of November 3, 1987 therefore this Legislature strongly urges the Government to:

- immediately establish the Northern Ontario Heritage Fund;
- ensure that Northerners, through committees representing Northern communities, labour, Native groups, women's groups and local small businesses, control the disbursement of the Fund; and
- provide substantial funding to help ensure long-term economic growth and diversification of the region.

*To be debated on Thursday, April 14, 1988.*

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## BILLS REFERRED TO STANDING COMMITTEES

### STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Bill Pr1, An Act respecting Canada Christian College and School of Graduate Theological Studies. *Mr Allen. (Referred November 18, 1987.)*

Bill Pr2, An Act to revive Big Cedar Association. *Mr Owen. (Referred February 8, 1988.)*

Bill Pr4, An Act respecting The Ottawa Civil Service Recreational Association. *Mr Chiarelli. (Referred November 16, 1987.)*

Bill Pr5, An Act respecting The Chartered Institute of Marketing Management of Ontario. *Ms Hart. (Referred February 8, 1988.)*

Bill Pr7, An Act respecting the Driving School Association of Ontario. *Mr Ferraro. (Referred November 9, 1987.)*

Bill Pr10, An Act respecting the Oshawa Public Utilities Commission. *Mr Breaugh. (Referred December 3, 1987.)*

Bill Pr16, An Act respecting the City of Toronto. *Mr Kanter. (Referred December 8, 1987.)*

Bill Pr22, An Act respecting the City of Mississauga. *Mr Offer. (Referred December 17, 1987.)*

Bill Pr24, An Act respecting the Hamilton Civic Hospitals. *Ms Collins. (Referred December 7, 1987.)*

Bill Pr25, An Act respecting Kingsway General Insurance Company. *Mr Cousens. (Referred December 9, 1987.)*

Bill Pr27, An Act respecting the Ontario Municipal Management Institute. *Mr Campbell. (Referred December 22, 1987.)*

Bill Pr29, An Act respecting The United Church of Canada and The Canada Conference The Evangelical United Brethren Church. *Mr Epp. (Referred February 8, 1988.)*

Bill Pr30, An Act respecting The General Hospital of Port Arthur. *Mr Kozyra. (Referred December 3, 1987.)*

Bill Pr34, An Act to revive Machin Mines Limited. *Mr Kanter. (Referred February 9, 1988.)*

Bill Pr37, An Act respecting the University of Western Ontario. *Mr Reycraft. (Referred December 22, 1987.)*

Bill Pr38, An Act to revive Prow Yellowknife Gold Mines Ltd. *Mr Kanter.*  
(Referred February 9, 1988.)

Bill Pr49, An Act to revive Lebon Gold Mines Limited. *Mr Kanter.*  
(Referred February 8, 1988.)

Bill Pr56, An Act respecting the City of Toronto. *Mr Kanter.* (Referred  
November 30, 1987.)

Bill Pr62, An Act respecting The Windsor Utilities Commission. *Mr Ray*  
(Windsor-Walkerville). (Referred December 21, 1987.)

Bill Pr67, An Act respecting the City of Hamilton. *Mr Charlton.* (Referred  
December 3, 1987.)

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## STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Bill 13, An Act respecting Environmental Rights in Ontario. *Mrs Grier.*  
(Referred December 10, 1987.)

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## STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Bill 50, An Act to provide for Community Mental Health Services. *Mr*  
*Reville.* (Referred December 17, 1987.)

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## MATTERS REFERRED TO SELECT COMMITTEES

### SELECT COMMITTEE ON EDUCATION

Consider and report on the role of the formal elementary and secondary  
school system in the successful transition of young students to adulthood in Ontar-  
io. (Referred by Order of the House on February 11, 1988.)

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### SELECT COMMITTEE ON ENERGY

Consider and report on Ontario Hydro Affairs. (Referred by Order of the  
House on February 11, 1988.)

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## SELECT COMMITTEE ON CONSTITUTIONAL REFORM

Consider and report on the 1987 Constitutional Accord (Sessional Paper No. 74), and matters related thereto. (*Referred by Order of the House on November 30, 1987.*)

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## MATTERS REFERRED TO STANDING COMMITTEES

*(In accordance with the Standing Orders, statutory annual reports of each ministry and of all agencies, boards and commissions reporting to each Minister for the immediate past reporting period stand permanently referred to the appropriate Standing Committees.)*

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## STANDING COMMITTEE ON FINANCE AND ECONOMIC AFFAIRS

Consider and report on the Canada-U.S. Free Trade Agreement (Sessional Paper Number 108). (*Referred by Order of the House on January 7, 1988.*)

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## STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Consider and report on Safety in Ontario Mines. (*Referred by Order of the House on January 7, 1988.*)

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## COMMITTEE MEETINGS

The Standing Committee on the Legislative Assembly will meet to consider matters relating to the Election Act as follows:

Today	3.30 p.m.	Room No. 228
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The Standing Committee on Regulations and Private Bills will meet to consider the regulatory process, as follows:

Today	10.00 a.m.	Room No. 1
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The Select Committee on Constitutional Reform will meet as follows:

Today	10.00 a.m. and following Routine Proceedings	Room No. 151
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## ESTIMATES

TOTAL HOURS FOR CONSIDERATION OF  
ALL ESTIMATES ..... 381 hrs., 30 mins.

### IN COMMITTEE OF SUPPLY

(Estimates to be taken in order shown)

- |   |                  |
|---|------------------|
| 1. Lieutenant Governor,<br>Premier and Cabinet Office ..... | 7 hrs., 30 mins. |
| 2. Government Services .....                                | 7 hrs., 30 mins. |
| <i>(Includes supplementaries, Number 2)‡</i>                |                  |
| 3. Intergovernmental Affairs .....                          | 7 hrs., 30 mins. |
| 4. Management Board of Cabinet .....                        | 7 hrs., 30 mins. |
| 5. Revenue .....  | 7 hrs., 30 mins. |
| <i>(Includes supplementaries, Number 1)†</i>                |                  |
| 6. Francophone Affairs .....                                | 7 hrs., 30 mins. |

### IN STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

(Estimates to be taken in order shown)

- |   |  |
|---|--|
| 1. Treasury and Economics .....                   | <i>(Completed Tuesday, December 8, 1987)</i> |
| 2. Energy .....                                   | 5 hrs., 54 mins.                             |
| <i>(Includes supplementaries, Number 1)†</i>      |  |
| <i>(Adjourned at Vote 1301, Item 1)</i>           |  |
| 3. Attorney General .....                         | 7 hrs., 30 mins.                             |
| <i>(Includes supplementaries, Number 1)†</i>      |  |
| <i>(Includes supplementaries, Number 2)‡</i>      |  |
| 4. Consumer and Commercial Relations .....        | 7 hrs., 30 mins.                             |
| <i>(Includes supplementaries, Number 1)†</i>      |  |
| 5. Correctional Services .....                    | 7 hrs., 30 mins.                             |
| 6. Financial Institutions .....                   | 7 hrs., 30 mins.                             |
| 7. Office Responsible for<br>Native Affairs ..... | 7 hrs., 30 mins.                             |
| 8. Solicitor General .....                        | 7 hrs., 30 mins.                             |

†Supplementary Estimates Number 1 Tabled November 23, 1987.

‡Supplementary Estimates Number 2 Tabled February 5, 1988.

## IN STANDING COMMITTEE ON GENERAL GOVERNMENT

(Estimates to be taken in order shown)

1. Labour ..... 3 hrs., 06 mins.  
(Adjourned at Vote 2101, Item 1)
2. Northern Development ..... 7 hrs., 30 mins.
3. Office Responsible for  
Women's Issues ..... 7 hrs., 30 mins.

## IN STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

(Estimates to be taken in order shown)

1. Office of the Assembly ..... 5 hrs.  
(Includes supplementaries, Number 1)†
2. Office of the  
Chief Election Officer ..... 5 hrs.

## IN STANDING COMMITTEE ON THE OMBUDSMAN

(Estimates to be taken in order shown)

1. Office of the Ombudsman ..... 5 hrs.  
(Includes supplementaries, Number 1)†

## IN STANDING COMMITTEE ON PUBLIC ACCOUNTS

(Estimates to be taken in order shown)

1. Office of the Provincial Auditor .. (Completed Thursday, December 17, 1987)

†Supplementary Estimates Number 1 Tabled November 23, 1987.



## IN STANDING COMMITTEE ON RESOURCES DEVELOPMENT

(Estimates to be taken in order shown)

1. Industry, Trade and Technology . (*Completed Thursday, December 10, 1987*)
2. Housing ..... (*Completed Thursday, December 17, 1987*)
3. Environment ..... 7 hrs., 30 mins.  
(*Includes supplementaries, Number 1*)†
4. Agriculture and Food ..... 7 hrs., 30 mins.  
(*Includes supplementaries, Number 1*)†
5. Mines ..... 7 hrs., 30 mins.
6. Municipal Affairs ..... 7 hrs., 30 mins.  
(*Includes supplementaries, Number 1*)†  
(*Includes supplementaries, Number 2*)‡
7. Natural Resources ..... 7 hrs., 30 mins.  
(*Includes supplementaries, Number 1*)†
8. Tourism and Recreation ..... 7 hrs., 30 mins.
9. Transportation ..... 7 hrs., 30 mins.  
(*Includes supplementaries, Number 1*)†
10. Industry, Trade and Technology ..... —  
(*Supplementaries only, Number 2*)‡
11. Housing ..... —  
(*Supplementaries only, Number 2*)‡

†Supplementary Estimates Number 1 Tabled November 23, 1987.

‡Supplementary Estimates Number 2 Tabled February 5, 1988.

## IN STANDING COMMITTEE ON SOCIAL DEVELOPMENT

(Estimates to be taken in order shown)

1. Skills Development ..... (Completed Thursday, December 10, 1987)
2. Office for Disabled Persons ..... (Completed Thursday, December 17, 1987)
3. Education ..... 7 hrs., 30 mins.  
(Includes supplementaries, Number 2)‡
4. Office Responsible for  
Senior Citizens' Affairs ..... 7 hrs., 30 mins.
5. Citizenship ..... 7 hrs., 30 mins.
6. Colleges and Universities ..... 7 hrs., 30 mins.  
(Includes supplementaries, Number 1)†
7. Community and Social Services ..... 7 hrs., 30 mins.  
(Includes supplementaries, Number 1)†  
(Includes supplementaries, Number 2)‡
8. Culture and Communications ..... 7 hrs., 30 mins.
9. Health ..... 7 hrs., 30 mins.  
(Includes supplementaries, Number 1)†  
(Includes supplementaries, Number 2)‡
10. Skills Development ..... —  
(Supplementaries only, Number 1)†
11. Office for Disabled Persons ..... —  
(Supplementaries only, Number 1)†

†Supplementary Estimates Number 1 Tabled November 23, 1987.

‡Supplementary Estimates Number 2 Tabled February 5, 1988.





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Government  
Publications

No. 42

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# Orders and Notices

Legislative Assembly  
of the Province of Ontario



**1st Session, 34th Parliament**  
**Thursday, April 7, 1988**

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## GOVERNMENT BILLS AND ORDERS

1. *Second Reading* Bill 4, An Act to amend the Metropolitan Toronto Police Force Complaints Act, 1984. *Mr Scott.* **PRINTED.**
2. *Second Reading* Bill 5, An Act to amend the Proceedings Against the Crown Act. *Mr Scott.* **PRINTED.**
3. *Second Reading* Bill 6, An Act to amend the Execution Act. *Mr Scott.* **PRINTED.**
4. *Second Reading* Bill 7, An Act to implement the Model Law on International Commercial Arbitration adopted by the United Nations Commission on International Trade Law. *Mr Scott.* **PRINTED.**

*Deuxième lecture* Projet de loi 7, Loi portant mise en application de la Loi type sur l'arbitrage commercial international adoptée par la Commission des Nations Unies pour le droit commercial international. *M. Scott.* **IMPRIMÉ.**

5. *Second Reading* Bill 9, An Act permitting Trustees and other Persons to dispose of South African investments. *Mr Scott.* **PRINTED.**

*Deuxième lecture* Projet de loi 9, Loi permettant aux fiduciaires et à d'autres personnes d'aliéner les placements sud-africains. *M. Scott.* **IMPRIMÉ.**

6. *Second Reading* Bill 15, An Act to amend the Barristers Act. *Mr Scott.* **PRINTED.**
7. *Second Reading* Bill 22, An Act to regulate Motor Vehicle Repairs. *Mr Wrye.* **PRINTED.**
8. *Second Reading* Bill 26, An Act to regulate Prepaid Services. *Mr Wrye.* **PRINTED.**
9. *Second Reading* Bill 27, An Act respecting Prearranged and Prepaid Funerals. *Mr Wrye.* **PRINTED.**
10. *Second Reading* Bill 28, An Act to amend the Funeral Services Act. *Mrs Caplan.* **PRINTED.**
11. *Second Reading* Bill 52, An Act to amend the Consumer Reporting Act. *Mr Wrye.* **PRINTED.**
12. *Second Reading* Bill 59, An Act to amend the Municipal Act and certain other Acts related to municipalities. *Mr Eakins.* **PRINTED.**
13. *Second Reading* Bill 66, An Act respecting Agricultural and Horticultural Organizations. *Mr Riddell.* **PRINTED.\***

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\*Lieutenant Governor's Recommendation received.

14. *Second Reading* Bill 68, An Act to promote the Conservation of Certain Land. *Mr Kerrio.* **PRINTED.**
15. *Second Reading* Bill 69, An Act to amend the Education Act. *Mr Ward.* **PRINTED.**
16. *Second Reading* Bill 70, An Act to amend the Education Act. *Mr Ward.* **PRINTED.**
17. *Second Reading* Bill 76, An Act to amend the Education Act and certain other Acts related to Education. *Mr Ward.* **PRINTED.**
18. *Resuming the Adjourned Debate* on the Motion for Second Reading of Bill 77, An Act to amend the Municipal Elections Act and the Assessment Act. *Mr Eakins.* **PRINTED.**
19. *Second Reading* Bill 78, An Act respecting the Sale of Farm Implements. *Mr Riddell.* **PRINTED.**
20. *Second Reading* Bill 82, An Act respecting Energy Efficiency. *Mr Wong.* **PRINTED.**
21. *Second Reading* Bill 83, An Act respecting the Protection of Farm Practices. *Mr Riddell.* **PRINTED.**
22. *Second Reading* Bill 84, An Act to amend the Corporations Tax Act. *Mr Grandmaître.* **PRINTED.\***
23. *Second Reading* Bill 85, An Act to amend the Mining Tax Act. *Mr Grandmaître.* **PRINTED.\***
24. *Second Reading* Bill 86, An Act to amend the Highway Traffic Act. *Mr Fulton.* **PRINTED.**
25. *Second Reading* Bill 87, An Act to amend the Ontario Highway Transport Board Act. *Mr Fulton.* **PRINTED.**
26. *Second Reading* Bill 88, An Act to regulate Truck Transportation. *Mr Fulton.* **PRINTED.**
27. *Second Reading* Bill 90, An Act respecting the United Nations Convention on Contracts for the International Sale of Goods. *Mr Scott.* **PRINTED.**

*Deuxième lecture* Projet de loi 90, Loi concernant la Convention des Nations Unies sur les contrats de vente internationale de marchandises. *M. Scott.* **IMPRIMÉ.**

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\*Lieutenant Governor's Recommendation received.



28. *Second Reading* Bill 93, An Act to revise the Justices of the Peace Act. *Mr Scott*. **PRINTED.**

*Deuxième lecture* Projet de loi 93, Loi portant révision de la Loi sur les juges de paix. *M. Scott*. **IMPRIMÉ.**

29. *Second Reading* Bill 98, An Act to amend the Public Transportation and Highway Improvement Act. *Mr Fulton*. **PRINTED.**
30. *Second Reading* Bill 99, An Act to amend the Ministry of Transportation and Communications Act. *Mr Fulton*. **PRINTED.**
31. *Second Reading* Bill 100, An Act to amend the Education Act. *Mr Ward*. **PRINTED.**
32. *Second Reading* Bill 101, An Act to repeal the Ministry of Transportation and Communications Creditors Payment Act. *Mr Fulton*. **PRINTED.**
33. *Second Reading* Bill 102, An Act to amend the Construction Lien Act, 1983. *Mr Fulton*. **PRINTED.**
34. *Second Reading* Bill 106, An Act to amend the Municipal Elections Act and the Municipal Act. *Mr Eakins*.
35. *Concurrence in Supply* for the Ministry of Treasury and Economics.
36. *Concurrence in Supply* for the Ministry of Skills Development.
37. *Concurrence in Supply* for the Ministry of Industry, Trade and Technology.
38. *Concurrence in Supply* for the Office of the Provincial Auditor.
39. *Concurrence in Supply* for the Office for Disabled Persons.
40. *Concurrence in Supply* for the Ministry of Housing.
41. *House in Committee of Supply*.
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## PRIVATE MEMBERS' PUBLIC BILLS AND ORDERS

### 42. *Committee of the Whole House:*

Bill 24, An Act to establish a Tourism Advisory Board. *Mr McLean.* **PRINTED.**

Bill 75, An Act to establish the Municipal Council Retirement Fund and to provide Retirement Allowances to Municipal Councillors. *Mr Cureatz.* **PRINTED.**

43. *Second Reading* Bill 3, An Act to protect the Public Health and Comfort and the Environment by Prohibiting and Controlling Smoking in Public Places. *Mr Sterling.* **PRINTED.**

44. *Second Reading* Bill 8, An Act to amend the Representation Act, 1986. *Mr Villeneuve.* **PRINTED.**

45. *Second Reading* Bill 10, An Act to amend the Election Act, 1984. *Mr Cousens.* **PRINTED.**

46. *Second Reading* Bill 12, An Act to ban Sunday racing and intertrack wagering at Greenwood Raceway and to change the composition and procedures of the Ontario Racing Commission. *Ms Bryden.* **PRINTED.**

47. *Second Reading* Bill 14, An Act to protect and enhance the Quality of Drinking Water in Ontario. *Mrs Grier.* **PRINTED.**

48. *Second Reading* Bill 16, An Act to encourage the Rehabilitation of Water Delivery Systems in Ontario. *Mrs Marland.* **PRINTED.**

49. *Second Reading* Bill 17, An Act to amend the Planning Act, 1983. *Mr Johnston (Scarborough West).* **PRINTED.**

50. *Second Reading* Bill 18, An Act to provide for the Conversion of Technologies and Skills used in the Nuclear Weapons Industry to Civilian Use. *Mr Johnston (Scarborough West).* **PRINTED.**

51. *Second Reading* Bill 23, An Act to proclaim 1995 as the 150th Anniversary of the arrival of Irish Immigrants in Canada. *Mr Pollock.* **PRINTED.**

52. *Second Reading* Bill 30, An Act to amend the Pension Benefits Act. *Mr Mackenzie.* **PRINTED.**

53. *Second Reading* Bill 31, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**

54. *Second Reading* Bill 32, An Act to provide for the Employment of Disabled Persons. *Mr Mackenzie.* **PRINTED.**

55. *Second Reading* Bill 33, An Act to amend the Education Act. *Mr Mackenzie.* **PRINTED.**

56. *Second Reading* Bill 34, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
57. *Second Reading* Bill 35, An Act to amend the Public Vehicles Act. *Mr Mackenzie.* **PRINTED.**
58. *Second Reading* Bill 36, An Act to provide Political Rights for Public Servants. *Mr Mackenzie.* **PRINTED.**
59. *Second Reading* Bill 37, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
60. *Second Reading* Bill 38, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
61. *Second Reading* Bill 39, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
62. *Second Reading* Bill 40, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
63. *Second Reading* Bill 41, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
64. *Second Reading* Bill 42, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
65. *Second Reading* Bill 43, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
66. *Second Reading* Bill 44, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
67. *Second Reading* Bill 45, An Act to amend the Children's Law Reform Act. *Mr Cousens.* **PRINTED.**
68. *Second Reading* Bill 47, An Act to amend the Highway Traffic Act. *Mrs Grier.* **PRINTED.**
69. *Second Reading* Bill 48, An Act to amend the Police Act. *Mr Eves.* **PRINTED.**
70. *Second Reading* Bill 49, An Act to relieve Persons from Liability in respect of voluntary Emergency Medical and First Aid Services. *Mr Haggerty.* **PRINTED.**
71. *Second Reading* Bill 53, An Act to provide for the Safety and Welfare of Crown Witnesses in Certain Criminal Proceedings. *Mr Runciman.* **PRINTED.**
72. *Second Reading* Bill 57, An Act to amend the Energy Act. *Mr Wildman.* **PRINTED.**



73. *Second Reading* Bill 60, An Act respecting the Sale of Farm Machinery and Equipment in Ontario. *Mr Wildman.* **PRINTED.**
74. *Second Reading* Bill 62, An Act to amend the Health Protection and Promotion Act, 1983. *Mr Henderson.* **PRINTED.**
75. *Second Reading* Bill 63, An Act to amend the Laboratory and Specimen Collection Centre Licensing Act. *Mr Henderson.* **PRINTED.**
76. *Second Reading* Bill 64, An Act to amend the Health Insurance Act. *Mr Henderson.* **PRINTED.**
77. *Second Reading* Bill 67, An Act to establish the East/Central Ontario Recreational Trails Commission. *Mr Pollock.* **PRINTED.**
78. *Second Reading* Bill 71, An Act to amend the Occupational Health and Safety Act. *Mr Rae (York South).* **PRINTED.**
79. *Second Reading* Bill 72, An Act respecting Simcoe Day. *Mr McLean.* **PRINTED.**
80. *Second Reading* Bill 73, An Act to amend the Public Service Superannuation Act. *Mr McLean.* **PRINTED.**
81. *Second Reading* Bill 74, An Act to amend the Legislative Assembly Retirement Allowances Act. *Mr McLean.* **PRINTED.**
82. *Second Reading* Bill 89, An Act requiring municipalities to establish Programs for the Recycling of Garbage. *Mrs Marland.* **PRINTED.**
83. *Second Reading* Bill 91, An Act to amend the Election Act. *Mr Sterling.* **PRINTED.**
84. *Second Reading* Bill 92, An Act to prevent unjust enrichment through the Financial Exploitation of Crime. *Mr Wildman.* **PRINTED.**
85. *Second Reading* Bill 94, An Act to prohibit Discrimination by Municipalities against Unrelated Persons Occupying Residential Property. *Mr Jackson.* **PRINTED.**
86. *Second Reading* Bill 95, An Act to amend the Children's Law Reform Act. *Mr Henderson.* **PRINTED.**
87. *Second Reading* Bill 96, An Act to amend the Highway Traffic Act. *Mr Wildman.* **PRINTED.**
88. *Second Reading* Bill 97, An Act to amend Human Rights Code, 1981. *Mr Reville.* **PRINTED.**
89. *Second Reading* Bill 103, An Act respecting Living Wills. *Mr Cureatz.* **PRINTED.**

90. *Second Reading* Bill 104, An Act to amend the Courts of Justice Act, 1984.  
*Mr Cureatz. PRINTED.*
91. *Second Reading* Bill 105, An Act to amend the Legislative Assembly Act.  
*Mr Cureatz. PRINTED.*
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## NOTICES

### GOVERNMENT MOTIONS

6. *Mr. Peterson*—Resolution—WHEREAS the *Constitution Act, 1982* came into force on April 17, 1982, following an agreement between Canada and all the provinces except Quebec;

AND WHEREAS the Government of Quebec has established a set of five proposals for constitutional change and has stated that amendments to give effect to those proposals would enable Quebec to resume a full role in the constitutional councils of Canada;

AND WHEREAS the amendment proposed in the schedule hereto sets out the basis on which Quebec's five constitutional proposals may be met;

AND WHEREAS the amendment proposed in the schedule hereto also recognizes the principle of the equality of all the provinces, provides new arrangements to foster greater harmony and cooperation between the Government of Canada and the governments of the provinces and requires that conferences be convened to consider important constitutional, economic and other issues;

AND WHEREAS certain portions of the amendment proposed in the schedule hereto relate to matters referred to in section 41 of the *Constitution Act, 1982*;

AND WHEREAS section 41 of the *Constitution Act, 1982* provides that an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and the House of Commons and of the legislative assembly of each province;

NOW THEREFORE the Legislative Assembly of Ontario resolves that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by Her Excellency the Governor General under the Great Seal of Canada in accordance with the schedule hereto.

### SCHEDULE

#### CONSTITUTION AMENDMENT, 1987

##### *Constitution Act, 1867*

1. The *Constitution Act, 1867* is amended by adding thereto, immediately after section 1 thereof, the following section:

Interpre-  
tation

“2. (1) The Constitution of Canada shall be interpreted in a manner consistent with

(a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present elsewhere

in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada; and

(b) the recognition that Quebec constitutes within Canada a distinct society.

Role of  
Parliament  
and  
legislatures

(2) The role of the Parliament of Canada and the provincial legislatures to preserve the fundamental characteristic of Canada referred to in paragraph (1)(a) is affirmed.

Role of  
legislature  
and  
Government  
of Quebec

(3) The role of the legislature and Government of Quebec to preserve and promote the distinct identity of Quebec referred to in paragraph (1)(b) is affirmed.

Rights of  
legislatures  
and  
governments  
preserved

(4) Nothing in this section derogates from the powers, rights or privileges of Parliament or the Government of Canada, or of the legislatures or governments of the provinces, including any powers, rights or privileges relating to language.”

2. The said Act is further amended by adding thereto, immediately after section 24 thereof, the following section:

Names to be  
submitted

“25. (1) Where a vacancy occurs in the Senate, the Government of the province to which the vacancy relates may, in relation to that vacancy, submit to the Queen’s Privy Council for Canada the names of persons who may be summoned to the Senate.

Choice of  
Senators  
from names  
submitted

(2) Until an amendment to the Constitution of Canada is made in relation to the Senate pursuant to section 41 of the *Constitution Act, 1982*, the person summoned to fill a vacancy in the Senate shall be chosen from among persons whose names have been submitted under subsection (1) by the government of the province to which the vacancy relates and must be acceptable to the Queen’s Privy Council for Canada.”

3. The said Act is further amended by adding thereto, immediately after section 95 thereof, the following heading and sections:

*“Agreements on Immigration and Aliens*

Commitment  
to negotiate

95A. The Government of Canada shall, at the request of the government of any province, negotiate with the government of that province for the purpose of concluding an agreement relating to immigration or the temporary admission of aliens into that province that is appropriate to the needs and circumstances of that province.



## Agreements

**95B.** (1) Any agreement concluded between Canada and a province in relation to immigration or the temporary admission of aliens into that province has the force of law from the time it is declared to do so in accordance with subsection 95C(1) and shall from that time have effect notwithstanding class 25 of section 91 or section 95.

## Limitation

(2) An agreement that has the force of law under subsection (1) shall have effect only so long and so far as it is not repugnant to any provision of an Act of the Parliament of Canada that sets national standards and objectives relating to immigration or aliens, including any provision that establishes general classes of immigrants or relates to levels of immigration for Canada or that prescribes classes of individuals who are inadmissible into Canada.

Application  
of Charter

(3) The *Canadian Charter of Rights and Freedoms* applies in respect of any agreement that has the force of law under subsection (1) and in respect of anything done by the Parliament or Government of Canada, or the legislature or government of a province, pursuant to any such agreement.

Proclamation  
relating to  
agreements

**95C.** (1) A declaration that an agreement referred to in subsection 95B(1) has the force of law may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement.

Amendment  
of  
agreements

(2) An amendment to an agreement referred to in subsection 95B(1) may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized

(a) by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement; or

(b) in such other manner as is set out in the agreement.

Application  
of sections 46  
to 48 of  
*Constitution  
Act, 1982*

**95D.** Sections 46 to 48 of the *Constitution Act, 1982* apply, with such modifications as the circumstances require, in respect of any declaration made pursuant to subsection 95C(1), any amendment to an agreement made pursuant to subsection 95C(2) or any amendment made pursuant to section 95E.

Amendments  
to sections  
95A to 95D  
or this  
section

**95E.** An amendment to sections 95A to 95D or this section may be made in accordance with the procedure set out in subsection 38(1) of the *Constitution Act, 1982*, but only if the amendment is authorized by resolutions of the legislative assemblies of all the provinces that are, at the time of the

amendment, parties to an agreement that has the force of law under subsection 95B(1).”

4. The said Act is further amended by adding thereto, immediately preceding section 96 thereof, the following heading:

*“General”*

5. The said Act is further amended by adding thereto, immediately preceding section 101 thereof, the following heading:

*“Courts Established by the Parliament of Canada”*

6. The said Act is further amended by adding thereto, immediately after section 101 thereof, the following heading and sections:

*“Supreme Court of Canada*

Supreme  
Court  
continued

**101A.** (1) The court existing under the name of the Supreme Court of Canada is hereby continued as the general court of appeal for Canada, and as an additional court for the better administration of the laws of Canada, and shall continue to be a superior court of record.

Constitution  
of court

(2) The Supreme Court of Canada shall consist of a chief justice to be called the Chief Justice of Canada and eight other judges, who shall be appointed by the Governor General in Council by letters patent under the Great Seal.

Who may be  
appointed  
judges

**101B.** (1) Any person may be appointed a judge of the Supreme Court of Canada who, after having been admitted to the bar of any province or territory, has, for a total of at least ten years, been a judge of any court in Canada or a member of the bar of any province or territory.

Three judges  
from Quebec

(2) At least three judges of the Supreme Court of Canada shall be appointed from among persons who, after having been admitted to the bar of Quebec, have, for a total of at least ten years, been judges of any court of Quebec or of any court established by the Parliament of Canada, or members of the bar of Quebec.

Names may  
be submitted

**101C.** (1) Where a vacancy occurs in the Supreme Court of Canada, the government of each province may, in relation to that vacancy, submit to the Minister of Justice of Canada the names of any of the persons who have been admitted to the bar of that province and are qualified under section 101B for appointment to that court.

Appointment  
from names  
submitted

(2) Where an appointment is made to the Supreme Court of Canada, the Governor General in Council shall, except

where the Chief Justice is appointed from among members of the Court, appoint a person whose name has been submitted under subsection (1) and who is acceptable to the Queen's Privy Council for Canada.

Appointment  
from Quebec

(3) Where an appointment is made in accordance with subsection (2) of any of the three judges necessary to meet the requirement set out in subsection 101B(2), the Governor General in Council shall appoint a person whose name has been submitted by the Government of Quebec.

Appointment  
from other  
provinces

(4) Where an appointment is made in accordance with subsection (2) otherwise than as required under subsection (3), the Governor General in Council shall appoint a person whose name has been submitted by the government of a province other than Quebec.

Tenure,  
salaries, etc.  
of judges

**101D.** Sections 99 and 100 apply in respect of the judges of the Supreme Court of Canada.

Relationship  
to section 101

**101E.** (1) Sections 101A to 101D shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws under section 101 except to the extent that such laws are inconsistent with those sections.

References  
to the  
Supreme  
Court of  
Canada

(2) For greater certainty, section 101A shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws relating to the reference of questions of law or fact, or any other matters, to the Supreme Court of Canada."

**7.** The said Act is further amended by adding thereto, immediately after section 106 thereof, the following section:

Shared-cost  
program

**"106A.** (1) The Government of Canada shall provide reasonable compensation to the government of a province that chooses not to participate in a national shared-cost program that is established by the Government of Canada after the coming into force of this section in an area of exclusive provincial jurisdiction, if the province carries on a program or initiative that is compatible with the national objectives.

Legislative  
power not  
extended

(2) Nothing in this section extends the legislative powers of the Parliament of Canada or of the legislatures of the provinces."

**8.** The said Act is further amended by adding thereto the following heading and sections:

“XII — CONFERENCES ON THE ECONOMY AND OTHER  
MATTERS

Conferences  
on the  
economy and  
other matters

**148.** A conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year to discuss the state of Canadian economy and such other matters as may be appropriate.

XIII — REFERENCES

Reference  
includes  
amendments

**149.** A reference to this Act shall be deemed to include a reference to any amendments thereto.”

*Constitution Act, 1982*

**9.** Sections 40 to 42 of the *Constitution Act, 1982* are repealed and the following substituted therefor:

Compensation

“**40.** Where an amendment is made under subsection 38(1) that transfers legislative powers from provincial legislatures to Parliament, Canada shall provide reasonable compensation to any province to which the amendment does not apply.

Amendment  
by  
unanimous  
consent

**41.** An amendment to the Constitution of Canada in relation to the following matters may be made by proclamation issued by the Governor General under the Great Seal of Canada only where authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province:

(a) the office of the Queen, the Governor General and the Lieutenant Governor of a province;

(b) the powers of the Senate and the method of selecting Senators;

(c) the number of members by which a province is entitled to be represented in the Senate and the residence qualifications of Senators;

(d) the right of a province to a number of members in the House of Commons not less than the number of Senators by which the province was entitled to be represented on April 17, 1982;

(e) the principle of proportionate representation of the provinces in the House of Commons prescribed by the Constitution of Canada;

(f) subject to section 43, the use of the English or the French language;



(g) the Supreme Court of Canada;

(h) the extension of existing provinces into the territories;

(i) notwithstanding any other law or practice, the establishment of new provinces; and

(j) an amendment to this Part.”

**10.** Section 44 of the said Act is repealed and the following substituted therefor:

Amendments  
by  
Parliament

“**44.** Subject to section 41, Parliament may exclusively make laws amending the Constitution of Canada in relation to the executive government of Canada or the Senate and House of Commons.”

**11.** Subsection 46(1) of the said Act is repealed and the following substituted therefor:

Initiation of  
amendment  
procedures

“**46.** (1) The procedures for amendment under sections 38, 41 and 43 may be initiated either by the Senate or the House of Commons or by the legislative assembly of a province.”

**12.** Subsection 47(1) of the said Act is repealed and the following substituted therefor:

Amendments  
without  
Senate  
resolution

“**47.** (1) An amendment to the Constitution of Canada made by proclamation under section 38, 41 or 43 may be made without a resolution of the Senate authorizing the issue of the proclamation if, within one hundred and eighty days after the adoption by the House of Commons of a resolution authorizing its issue, the Senate has not adopted such a resolution and if, at any time after the expiration of that period, the House of Commons again adopts the resolution.”

**13.** Part VI of the said Act is repealed and the following substituted therefor:

#### “PART VI

#### CONSTITUTIONAL CONFERENCES

Constitutional  
conference

**50.** (1) A constitutional conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year, commencing in 1988.

Agenda

(2) The conferences convened under subsection (1) shall have included on their agenda the following matters:

(a) Senate reform, including the role and functions of the Senate, its powers, the method of selecting Senators and representation in the Senate;

(b) roles and responsibilities in relation to fisheries; and

(c) such other matters as are agreed upon.”

14. Subsection 52(2) of the said Act is amended by striking out the word “and” at the end of paragraph (b) thereof, by adding the word “and” at the end of paragraph (c) thereof and by adding thereto the following paragraph:

“(d) any other amendment to the Constitution of Canada.”

15. Section 61 of the said Act is repealed and the following substituted therefor:

References

“61. A reference to the *Constitution Act, 1982*, or a reference to the *Constitution Acts 1867 to 1982*, shall be deemed to include a reference to any amendments thereto.”

*General*

Multicultural  
heritage and  
aboriginal  
people

16. Nothing in section 2 of the *Constitution Act, 1867* affects section 25 or 27 of the *Canadian Charter of Rights and Freedoms*, section 35 of the *Constitution Act, 1982* or class 24 of section 91 of the *Constitution Act, 1867*.

CITATION

Citation

17. This amendment may be cited as the *Constitution Amendment, 1987*.

*M. Peterson—Résolution—*

Attendu :

que la *Loi constitutionnelle de 1982* est entrée en vigueur le 17 avril 1982, à la suite d'un accord conclu entre le Canada et toutes les provinces, sauf le Québec;

que, selon le gouvernement du Québec, l'adoption de modifications visant à donner effet à ses cinq propositions de révision constitutionnelle permettrait au Québec de jouer pleinement de nouveau son rôle dans les instances constitutionnelles canadiennes;

que le projet de modification figurant en annexe présente les modalités d'un règlement relatif aux cinq propositions du Québec;

que le projet reconnaît le principe de l'égalité de toutes les provinces et prévoit, d'une part, de nouveaux arrangements propres à renforcer l'harmonie et la coopération entre le gouvernement du Canada et ceux des provinces, d'autre part la tenue de conférences consacrées à l'étude d'importantes questions constitutionnelles, économiques et autres;

que le projet porte en partie sur des questions visées à l'article 41 de la *Loi constitutionnelle de 1982*;

que cet article prévoit que la Constitution du Canada peut être modifiée par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de chaque province,

l'Assemblée législative de l'Ontario a résolu d'autoriser la modification de la Constitution du Canada par proclamation de Son Excellence le gouverneur général sous le grand sceau du Canada, en conformité avec l'annexe ci-jointe.

## ANNEXE

### MODIFICATION CONSTITUTIONNELLE DE 1987

#### *Loi constitutionnelle de 1867*

1. La *Loi constitutionnelle de 1867* est modifiée par insertion, après l'article 1, de ce qui suit:

Règle  
interprétative

«2. (1) Toute interprétation de la Constitution du Canada doit concorder avec :

a) la reconnaissance de ce que l'existence de Canadiens d'expression française, concentrés au Québec mais présents aussi dans le reste du pays, et de Canadiens d'expression anglaise, concentrés dans le reste du pays mais aussi présents au Québec, constitue une caractéristique fondamentale du Canada;

b) la reconnaissance de ce que le Québec forme au sein du Canada une société distincte.

Rôle du  
Parlement et  
des  
législatures

(2) Le Parlement du Canada et les législatures des provinces ont le rôle de protéger la caractéristique fondamentale du Canada visée à l'alinéa (1) a).

Rôle de la  
législature et  
du gouverne-  
ment du  
Québec

(3) La législature et le gouvernement du Québec ont le rôle de protéger et de promouvoir le caractère distinct du Québec visé à l'alinéa (1) b).

Maintien des  
droits des  
législatures et  
gouverne-  
ments

(4) Le présent article n'a pas pour effet de déroger aux pouvoirs, droits ou privilèges du Parlement ou du gouvernement du Canada, ou des législatures ou des gouvernements des provinces, y compris à leurs pouvoirs, droits ou privilèges en matière de langue.»

2. La même loi est modifiée par insertion, après l'article 24, de ce qui suit :

Propositions

«25. (1) En cas de vacance au Sénat, le gouvernement de la province à représenter peut proposer au Conseil privé de la Reine pour le Canada des personnes susceptibles d'être nommées au siège vacant.

Choix des  
sénateurs

(2) Jusqu'à la modification, faite conformément à l'article 41 de la *Loi constitutionnelle de 1982*, de toute disposition de la Constitution du Canada relative au Sénat, les personnes nommées aux sièges vacants au Sénat sont choisies parmi celles qui ont été proposées par le gouvernement de la province à représenter et agréées par le Conseil privé de la Reine pour le Canada.»

3. La même loi est modifiée par insertion, après l'article 95, de ce qui suit :

*«Accords relatifs à l'immigration et aux aubains*

Engagement

95A. Sur demande du gouvernement d'une province, le gouvernement du Canada négocie avec lui en vue de conclure, en matière d'immigration ou d'admission temporaire des aubains dans la province, un accord adapté aux besoins et à la situation particulière de celle-ci.

Accords

95B. (1) Tout accord conclu entre le Canada et une province en matière d'immigration ou d'admission temporaire des aubains dans la province a, une fois faite la déclaration visée au paragraphe 95C(1), force de loi et a dès lors effet indépendamment tant du point 25 de l'article 91 que de l'article 95.



## Restriction

(2) L'accord ayant ainsi force de loi n'a d'effet que dans la mesure de sa compatibilité avec les dispositions des lois du Parlement du Canada qui fixent des normes et objectifs nationaux relatifs à l'immigration et aux aubains, notamment en ce qui concerne l'établissement des catégories générales d'immigrants, les niveaux d'immigration au Canada et la détermination des catégories de personnes inadmissibles au Canada.

## Application de la Charte

(3) La *Charte canadienne des droits et libertés* s'applique aux accords ayant ainsi force de loi et à toute mesure prise sous leur régime par le Parlement ou le gouvernement du Canada ou par la législature ou le gouvernement d'une province.

## Proclamation relative aux accords

**95C.** (1) La déclaration portant qu'un accord visé au paragraphe 95B(1) a force de loi se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord.

## Modification des accords

(2) La modification d'un accord visé au paragraphe 95B(1) se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée :

a) soit par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord;

b) soit selon les modalités prévues dans l'accord même.

Application des articles 46 à 48 de la *Loi constitutionnelle de 1982*

**95D.** Les articles 46 à 48 de la *Loi constitutionnelle de 1982* s'appliquent, avec les adaptations nécessaires, à toute déclaration faite aux termes du paragraphe 95C(1), à toute modification d'un accord faite aux termes du paragraphe 95C(2) ou à toute modification faite aux termes de l'article 95E.

## Modification des articles 95A à 95D ou du présent article

**95E.** Les articles 95A à 95D ou le présent article peuvent être modifiés conformément au paragraphe 38(1) de la *Loi constitutionnelle de 1982*, à condition que la modification soit autorisée par des résolutions des assemblées législatives de toutes les provinces qui sont, à l'époque de celle-ci, parties à un accord ayant force de loi aux termes du paragraphe 95B(1).»

4. La même loi est modifiée par insertion, avant l'article 96, de ce qui suit :

## «Dispositions générales»

5. La même loi est modifiée par insertion, avant l'article 101, de ce qui suit :

*«Tribunaux créés par le Parlement du Canada»*

6. La même loi est modifiée par insertion, après l'article 101, de ce qui suit :

*«Cour suprême du Canada*

Maintien de  
la Cour  
suprême  
du Canada

**101A.** (1) La cour qui existe sous le nom de Cour suprême du Canada est maintenue à titre de cour générale d'appel pour le Canada et de cour additionnelle propre à améliorer l'application des lois du Canada. Elle conserve ses attributions de cour supérieure d'archives.

Composition

(2) La Cour suprême du Canada se compose du juge en chef, appelé juge en chef du Canada, et de huit autres juges, que nomme le gouverneur général en conseil par lettres patentes sous le grand sceau.

Conditions  
de  
nomination

**101B.** (1) Les juges sont choisis parmi les personnes qui, après avoir été admises au barreau d'une province ou d'un territoire, ont, pendant au moins dix ans au total, été juges de n'importe quel tribunal du pays ou inscrites au barreau de n'importe quelle province ou de n'importe quel territoire.

Québec :  
trois juges

(2) Au moins trois des juges sont choisis parmi les personnes qui, après avoir été admises au barreau du Québec, ont, pendant au moins dix ans au total, été inscrites à ce barreau ou juges d'un tribunal du Québec ou d'un tribunal créé par le Parlement du Canada.

Propositions  
de  
nomination

**101C.** (1) En cas de vacance à la Cour suprême du Canada, le gouvernement de chaque province peut proposer au ministre fédéral de la Justice, pour la charge devenue vacante, des personnes admises au barreau de cette province et remplissant les conditions visées à l'article 101B.

Nomination  
parmi les  
personnes  
proposées

(2) Le gouverneur général en conseil procède aux nominations parmi les personnes proposées et qui agréent au Conseil privé de la Reine pour le Canada; le présent paragraphe ne s'applique pas à la nomination du juge en chef dans les cas où il est choisi parmi les juges de la Cour suprême du Canada.

Nomination  
parmi les  
personnes  
proposées  
par le  
Québec

(3) Dans le cas de chacune de trois nominations à faire conformément au paragraphe 101B(2), le gouverneur général en conseil nomme une personne proposée par le gouvernement du Québec.

Nomination  
parmi les  
personnes  
proposées  
par les autres  
provinces

(4) Dans le cas de toute autre nomination, le gouverneur général en conseil nomme une personne proposée par le gouvernement d'une autre province que le Québec.

Inamovibilité,  
traitement,  
etc.

**101D.** Les articles 99 et 100 s'appliquent aux juges de la Cour suprême du Canada.

Rapport avec  
l'article 101

**101E.** (1) Sous réserve que ne soient pas adoptées, dans les matières visées à l'article 101, de dispositions incompatibles avec les articles 101A à 101D, ceux-ci n'ont pas pour effet de porter atteinte à la compétence législative conférée au Parlement du Canada en ces matières.

Renvois à la  
Cour  
suprême du  
Canada

(2) Il est entendu que l'article 101A n'a pas pour effet de porter atteinte à la compétence législative du Parlement du Canada en ce qui concerne le renvoi à la Cour suprême du Canada de questions de droit ou de fait, ou de toute autre question.»

7. La même loi est modifiée par insertion, après l'article 106, de ce qui suit :

Programmes  
cofinancés

«**106A.** (1) Le gouvernement du Canada fournit une juste compensation au gouvernement d'une province qui choisit de ne pas participer à un programme national cofinancé qu'il établit après l'entrée en vigueur du présent article dans un secteur de compétence exclusive provinciale, si la province applique un programme ou une mesure compatible avec les objectifs nationaux.

Non-élargis-  
sement des  
compétences  
législatives

(2) Le présent article n'élargit pas les compétences législatives du Parlement du Canada ou des législatures des provinces.»

8. La même loi est modifiée par insertion, après l'article 147, de ce qui suit :

#### «XII. — CONFÉRENCES SUR L'ÉCONOMIE ET SUR D'AUTRES QUESTIONS

Convocation

**148.** Le premier ministre du Canada convoque au moins une fois par an une conférence réunissant les premiers ministres provinciaux et lui-même et portant sur l'économie canadienne ainsi que sur toute autre question appropriée.

#### XIII. — MENTIONS

Présomption

**149.** Toute mention de la présente loi est réputée constituer également une mention de ses modifications.»

#### *Loi constitutionnelle de 1982*

9. Les articles 40 à 42 de la *Loi constitutionnelle de 1982* sont abrogés et remplacés par ce qui suit :

Compensation

«40. Le Canada fournit une juste compensation aux provinces auxquelles ne s'applique pas une modification faite conformément au paragraphe 38(1) et relative à un transfert de compétences législatives provinciales au Parlement.

Consentement  
unanime

41. Toute modification de la Constitution du Canada portant sur les questions suivantes se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de chaque province :

a) la charge de Reine, celle de gouverneur général et celle de lieutenant-gouverneur;

b) les pouvoirs du Sénat et le mode de sélection des sénateurs;

c) le nombre des sénateurs par lesquels une province est habilitée à être représentée et les conditions de résidence qu'ils doivent remplir;

d) le droit d'une province d'avoir à la Chambre des communes un nombre de députés au moins égal à celui des sénateurs par lesquels elle était habilitée à être représentée le 17 avril 1982;

e) le principe de la représentation proportionnelle des provinces à la Chambre des communes prévu par la Constitution du Canada;

f) sous réserve de l'article 43, l'usage du français ou de l'anglais;

g) la Cour suprême du Canada;

h) le rattachement aux provinces existantes de tout ou partie des territoires;

i) par dérogation à toute autre loi ou usage, la création de provinces;

j) la modification de la présente partie.»

10. L'article 44 de la même loi est abrogé et remplacé par ce qui suit :

Modification  
par le  
Parlement

«44. Sous réserve de l'article 41, le Parlement a compétence exclusive pour modifier les dispositions de la Constitution du Canada relatives au pouvoir exécutif fédéral, au Sénat ou à la Chambre des communes.»



**11.** Le paragraphe 46(1) de la même loi est abrogé et remplacé par ce qui suit :

Initiative des  
procédures

«**46.** (1) L'initiative des procédures de modification visées aux articles 38, 41 et 43 appartient au Sénat, à la Chambre des communes ou à une assemblée législative.»

**12.** Le paragraphe 47(1) de la même loi est abrogé et remplacé par ce qui suit :

Modification  
sans  
résolution du  
Sénat

«**47.**(1) Dans les cas visés à l'article 38, 41 ou 43, il peut être passé outre au défaut d'autorisation du Sénat si celui-ci n'a pas adopté de résolution dans un délai de cent quatre-vingts jours suivant l'adoption de celle de la Chambre des communes et si cette dernière, après l'expiration du délai, adopte une nouvelle résolution dans le même sens.»

**13.** La partie VI de la même loi est abrogée et remplacée par ce qui suit :

#### «PARTIE VI

#### CONFÉRENCES CONSTITUTIONNELLES

Convocation

**50.** (1) Le premier ministre du Canada convoque au moins une fois par an une conférence constitutionnelle réunissant les premiers ministres provinciaux et lui-même, la première devant avoir lieu en 1988.

Ordre du  
jour

(2) Sont placées à l'ordre du jour de ces conférences les questions suivantes :

*a)* la réforme du Sénat, y compris son rôle et ses fonctions, ses pouvoirs, le mode de sélection des sénateurs et la représentation au Sénat;

*b)* les rôles et les responsabilités en matière de pêches;

*c)* toutes autres questions dont il est convenu.»

**14.** Le paragraphe 52(2) de la même loi est modifié par adjonction de ce qui suit :

«*d)* les autres modifications qui lui sont apportées.»

**15.** L'article 61 de la même loi est abrogé et remplacé par ce qui suit :

Mentions

«**61.** Toute mention de la *Loi constitutionnelle de 1982* ou des *Lois constitutionnelles de 1867 à 1982* est réputée constituer également une mention de leurs modifications.»

*Dispositions générales*

Patrimoine  
multiculturel  
et peuples  
autochtones

16. L'article 2 de la *Loi constitutionnelle de 1867* n'a pas pour effet de porter atteinte aux articles 25 ou 27 de la *Charte canadienne des droits et libertés*, à l'article 35 de la *Loi constitutionnelle de 1982* ou au point 24 de l'article 91 de la *Loi constitutionnelle de 1867*.

## TITRE

Titre

17. Titre de la présente modification : *Modification constitutionnelle de 1987*.

9. *Mr Nixon*—Resolution—That the Treasurer of Ontario be authorized to pay the salaries of the civil servants and other necessary payments pending the voting of supply for the period commencing April 16, 1988, and ending June 30, 1988, such payments to be charged to the proper appropriation following the voting of supply.
  10. *Mr Conway*—Resolution—That the 1987-1988 Estimates and Supplementary Estimates which have not yet been passed by the committees and reported to the House be deemed to be passed and reported to the House, and that the 1987-1988 Estimates and Supplementary Estimates be deemed to be concurred in.
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## PRIVATE MEMBERS' MOTIONS

1. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that huge rent increases year after year are constituting a threat to the competitiveness and survival of retail business in commercial strips serving residential neighbourhoods, the Government of Ontario should introduce legislation as soon as possible to regulate the rents for such business establishments in order to provide those businesses with protection from gouging landlords comparable to the protection given to tenants of residential rental premises under the Residential Rent Regulation Act, 1986.
2. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that part-time workers in both the public and private sector are discriminated against by the denial of many benefits and rights provided to other workers in the same establishment, a charter of rights for part-time workers should be added to both the Employment Standards Act and the Labour Relations Act to provide pro rata benefits and collective bargaining rights to such workers and that they be made eligible for severance pay and retraining and readjustment programs provided for other workers displaced by technological change in the same establishment.
4. *Mr Morin-Strom*—Resolution—That, in the opinion of this House, recognizing the importance of the TransCanada Highway to our nation and to our province, the government of Ontario should upgrade the TransCanada Highway to a modern four-lane system through Northern Ontario to the Manitoba border, and that the government should immediately commence design and schedule construction to ensure completion across Northern Ontario by 1997.
9. *Mr Wildman*—Resolution—That, in the opinion of this House, the plans of the Canada Post Corporation to close, amalgamate or franchise many rural post offices and to eliminate or tender rural route services in order to reduce its operating deficit would reduce essential mail services from many rural Ontario communities, causing severe hardship and inconvenience to rural Ontarians, particularly the elderly and disabled; the Government of Ontario should urge the Government of Canada to halt, immediately, these plans to cut service and maintain and improve rural postal services across Ontario.
10. *Mr Swart*—Resolution—That, in the opinion of this House, recognizing the particular desirability of the protection of consumers of bereavement services from the business practices associated with corporate concentration and the desirability of fostering and encouraging the small business sector in Ontario, the Government of Ontario should introduce legislation as soon as possible to further regulate the bereavement industry to ensure the following:
  1. That a Board of Bereavement Services, composed of representatives of the public and the various sectors and sub-sectors of the bereavement services industry, be constituted to make recommendations to the Minister of Consumer and Commercial Relations and the Minister of Health on further reforms of the regulation of bereavement services

and to act as the licensing and regulating body for funeral directors, funeral service establishments, cemeterians, cemeteries, monument builders and monument building firms;

2. That the bereavement services industry be divided into three sectors, consisting of cemeteries, funeral services and monument builders and that no proprietor, partnership or corporate entity be allowed to offer services in more than one of these sectors and that any operator who currently offers services in more than one of the sectors be allowed five years to divest itself of operations in more than one sector and where one corporate entity owns more than twenty-five per cent of the shares in other corporate entities operating in more than one of the sectors, relations between such entities shall be at arm's length;
  3. That funeral service establishments may act as agents for monument building firms in rural areas where the Board of Bereavement Services establishes that a consumer need exists and where there is no monument building firm willing to establish in such rural areas;
  4. That the ownership of any proprietorship, partnership or corporate entity involved in the provision of bereavement services must be fully disclosed to the public, including the names of all shareholders in a corporate entity who hold more than ten per cent of the shares in such entity;
  5. That no funeral service facility be allowed on the grounds of, or adjoining the grounds of, a cemetery;
  6. That for the purpose of provincial business and corporate income taxation, as well as for the purpose of municipal property taxation, cemeteries be categorized as either non-profit or commercial and that those categorized as non-profit be exempt from income and property tax and those categorized as commercial be subject to income taxation and to property taxation on all lands less each grave space occupied by a deceased person;
  7. That funeral services be sold only by a licensed funeral director through a licensed funeral service establishment, cemetery services be sold only by a licensed cemeterian through a licensed cemetery and upright monument services be sold only by a licensed monument builder through a licensed monument building firm; and
  8. That there be no telephone or door-to-door solicitation of funeral, cemetery or monument services.
12. *Mr Runciman*—Resolution—That, in the opinion of this House, recognizing that there have been twenty-eight bank branch closures across Ontario between 1982 and 1986 which have left many small communities without adequate banking services, the Government of Ontario should review all requests for satellite banking services and establish Province of Ontario Savings Offices in those areas where population levels demonstrate a need for them and where financial benefit can be determined.



13. *Mr Sterling*—Resolution—That, in the opinion of this House, recognizing the devastating and lethal impact of tobacco on the health of our citizenry, and recognizing the tobacco industry's attempt to advertise in a manner designed to undermine the health warnings of its hazardous product, the Government of Ontario should pursue every opportunity to express its support for the Federal Government's initiative, Bill C-51, the *Tobacco Products Control Act*, An Act to prohibit the advertising and promotion and respecting the labelling and monitoring of tobacco products.
  
15. *Mr Runciman*—Resolution—That, in the opinion of this House, the Government of Ontario should immediately implement the 1986 recommendation of the Standing Committee on the Legislative Assembly to provide that all Order-In-Council appointments be subject to review by a Committee of this Legislature.
  
16. *Miss Martel*—Resolution—That, in the opinion of this House, this Legislature condemns the Government of Ontario for its failure to establish the Northern Ontario Heritage Fund as outlined in the Budget of May 20, 1987 and in the Speech from the Throne of November 3, 1987 therefore this Legislature strongly urges the Government to:
  - immediately establish the Northern Ontario Heritage Fund;
  - ensure that Northerners, through committees representing Northern communities, labour, Native groups, women's groups and local small businesses, control the disbursement of the Fund; and
  - provide substantial funding to help ensure long-term economic growth and diversification of the region.
  
17. *Mr. Kanter*—Resolution—That, in the opinion of this House, recognizing that organ transplants constitute a cost efficient medical practice that has saved lives and improved the quality of life for thousands of Ontario residents, and recognizing further that hundreds of Ontario residents wait desperately for organs that could give them a second chance at life, physicians should therefore be reminded, through their routine procedures, to consider whether a person who dies in a public hospital is a suitable organ donor and whether it is appropriate to approach the family of the deceased for consent to the transplant of any of the organs of the deceased, therefore the Government should amend the regulations under the *Public Hospitals Act* to require every public hospital to include questions similar to the following in any form required by the hospital to be completed by a physician to record the death of a patient in the hospital:
  1. Has the patient been considered as an organ donor.
  2. Are the wishes of the patient regarding donation of his or her organs known.
  3. Are the wishes of the patient's family regarding the donation of the patient's organs known.

4. (a) Has consent for organ or tissue donation been obtained.

(b) If so, what organs or tissue have been donated.

18. *Mr. Rae* (York South)—Resolution—That, in the opinion of this House, recognizing that more than one thousand Canadian workers are killed on the job in each year; and recognizing that hundreds of thousands more are injured on the job, thousands of whom are permanently disabled; and recognizing that thousands more suffer and die from disease caused by exposure to toxic substances at the workplace, and further recognizing, that the memories of the workers who have died and the suffering of the still-living victims must be honoured; therefore, the Government of Ontario should declare the 28th day of April in each year as a day of mourning and recognition for the victims of work-related injury and disease, to be observed by a minute of silence and the lowering of flags to half-mast.
19. *Mr. Swart*—Resolution—That, in the opinion of this House, recognizing the need for the expansion of hospital beds and related facilities in scores of communities across the province, and given the undesirability of using the regressive property tax system for funding such construction or renovation, the Lieutenant Governor-in-Council should amend Ontario Regulation 859 under the Public Hospitals Act which now limits provincial contributions to a ceiling of two thirds (five sixths on the North)—a ceiling seldom reached—to allow the provincial contribution to be 100% of the costs.
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## QUESTIONS

*(Questions are to appear on the day after they are tabled and on every subsequent day in the week they are tabled and then subsequently only on each Monday until an Answer (other than an Interim Answer) is tabled. A question tabled on a Thursday will appear on each day of the following week.)*

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97. *Mr Breaugh*—Enquiry of the Ministry—Would the Minister of Government Services list all lands owned by the provincial government and its agencies within the boundaries of Metropolitan Toronto, the Regional Municipality of Peel, the Regional Municipality of York, and the Regional Municipality of Durham. *April 5, 1988.*
  
  98. *Mr Rae*—Enquiry of the Ministry—Would the Minister of Health provide the following information: (1) How many paid intern positions in public teaching hospitals have been set in Ontario for 1986, 1987, 1988. (2) How many residency positions in public teaching hospitals have been set in Ontario for 1986, 1987, 1988. (3) What are the average hours worked (a) in a week; and (b) in a month by (i) residents in public teaching hospitals; (ii) interns in public teaching hospitals; (iii) registered nurses; and (iv) other staff. *April 5, 1988.*
  
  99. *Mr Rae*—Enquiry of the Ministry—Would the Minister of Labour provide, for the year 1987, what special permits for hours of work were issued to public teaching hospitals in Ontario under the Employment Standards Act. Please specify. Has the Ministry any estimate of average time worked by residents, interns, and nurses in Ontario's teaching hospitals. *April 5, 1988.*
  
  100. *Mr McLean*—Enquiry of the Ministry—Would the Minister of Tourism and Recreation explain the purpose of his recent trip to Calgary, Alberta, during the 15th Winter Olympic Games and provide the following information: the cost of the trip; how many people accompanied the Minister and who they were; the cost for limousine services; the cost for receptions held by the Minister and who they were for. *April 6, 1988.*
  
  101. *Mr Cooke* (Windsor-Riverside)—Enquiry of the Ministry—Would the Chairman of Management Board of Cabinet provide the House with a list of all communities in Ontario where provincial government jobs are located, the number of provincial government employees in each of these communities and which ministry of government they work for. *April 7, 1988.*
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## PRIVATE MEMBERS' BUSINESS TO BE DEBATED

*(Precedence in accordance with the Standing Order 71 (d).)*

### Ballot Item No. 11

*Mr. Rae (York South)*—Resolution—That, in the opinion of this House, recognizing that more than one thousand Canadian workers are killed on the job in each year; and recognizing that hundreds of thousands more are injured on the job, thousands of whom are permanently disabled; and recognizing that thousands more suffer and die from disease caused by exposure to toxic substances at the workplace, and further recognizing, that the memories of the workers who have died and the suffering of the still-living victims must be honoured; therefore, the Government of Ontario should declare the 28th day of April in each year as a day of mourning and recognition for the victims of work-related injury and disease, to be observed by a minute of silence and the lowering of flags to half-mast. *To be debated today.*

### Ballot Item No. 12

*Mr Runciman*—Resolution—That, in the opinion of this House, the Government of Ontario should immediately implement the 1986 recommendation of the Standing Committee on the Legislative Assembly to provide that all Order-In-Council appointments be subject to review by a Committee of this Legislature. *To be debated today.*

### Ballot Item No. 13

*Mr. Kanter*—Resolution—That, in the opinion of this House, recognizing that organ transplants constitute a cost efficient medical practice that has saved lives and improved the quality of life for thousands of Ontario residents, and recognizing further that hundreds of Ontario residents wait desperately for organs that could give them a second chance at life, physicians should therefore be reminded, through their routine procedures, to consider whether a person who dies in a public hospital is a suitable organ donor and whether it is appropriate to approach the family of the deceased for consent to the transplant of any of the organs of the deceased, therefore the Government should amend the regulations under the *Public Hospitals Act* to require every public hospital to include questions similar to the following in any form required by the hospital to be completed by a physician to record the death of a patient in the hospital:

1. Has the patient been considered as an organ donor.
2. Are the wishes of the patient regarding donation of his or her organs known.
3. Are the wishes of the patient's family regarding the donation of the patient's organs known.



4. (a) Has consent for organ or tissue donation been obtained.
- (b) If so, what organs or tissue have been donated.

*To be debated on Thursday, April 14, 1988.*

Ballot Item No. 14

*Miss Martel*—Resolution—That, in the opinion of this House, this Legislature condemns the Government of Ontario for its failure to establish the Northern Ontario Heritage Fund as outlined in the Budget of May 20, 1987 and in the Speech from the Throne of November 3, 1987 therefore this Legislature strongly urges the Government to:

- immediately establish the Northern Ontario Heritage Fund;
- ensure that Northerners, through committees representing Northern communities, labour, Native groups, women's groups and local small businesses, control the disbursement of the Fund; and
- provide substantial funding to help ensure long-term economic growth and diversification of the region.

*To be debated on Thursday, April 14, 1988.*

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## BILLS REFERRED TO STANDING COMMITTEES

### STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Bill Pr1, An Act respecting Canada Christian College and School of Graduate Theological Studies. *Mr Allen.* (Referred November 18, 1987.)

Bill Pr2, An Act to revive Big Cedar Association. *Mr Owen.* (Referred February 8, 1988.)

Bill Pr4, An Act respecting The Ottawa Civil Service Recreational Association. *Mr Chiarelli.* (Referred November 16, 1987.)

Bill Pr5, An Act respecting The Chartered Institute of Marketing Management of Ontario. *Ms Hart.* (Referred February 8, 1988.)

Bill Pr7, An Act respecting the Driving School Association of Ontario. *Mr Ferraro.* (Referred November 9, 1987.)

Bill Pr10, An Act respecting the Oshawa Public Utilities Commission. *Mr Breaugh.* (Referred December 3, 1987.)

Bill Pr16, An Act respecting the City of Toronto. *Mr Kanter.* (Referred December 8, 1987.)

Bill Pr22, An Act respecting the City of Mississauga. *Mr Offer.* (Referred December 17, 1987.)

Bill Pr24, An Act respecting the Hamilton Civic Hospitals. *Ms Collins.* (Referred December 7, 1987.)

Bill Pr25, An Act respecting Kingsway General Insurance Company. *Mr Cousens.* (Referred December 9, 1987.)

Bill Pr27, An Act respecting the Ontario Municipal Management Institute. *Mr Campbell.* (Referred December 22, 1987.)

Bill Pr28, An Act to revive Mid-Continent Bond Corporation, Limited. *Mr Ray* (Windsor-Walkerville). (Referred April 6, 1988.)

Bill Pr29, An Act respecting The United Church of Canada and The Canada Conference The Evangelical United Brethren Church. *Mr Epp.* (Referred February 8, 1988.)

Bill Pr30, An Act respecting The General Hospital of Port Arthur. *Mr Kozyra.* (Referred December 3, 1987.)

Bill Pr34, An Act to revive Machin Mines Limited. *Mr Kanter.* (Referred February 9, 1988.)

Bill Pr37, An Act respecting the University of Western Ontario. *Mr Reycraft. (Referred December 22, 1987.)*

Bill Pr38, An Act to revive Prow Yellowknife Gold Mines Ltd. *Mr Kanter. (Referred February 9, 1988.)*

Bill Pr49, An Act to revive Lebon Gold Mines Limited. *Mr Kanter. (Referred February 8, 1988.)*

Bill Pr56, An Act respecting the City of Toronto. *Mr Kanter. (Referred November 30, 1987.)*

Bill Pr62, An Act respecting The Windsor Utilities Commission. *Mr Ray (Windsor-Walkerville). (Referred December 21, 1987.)*

Bill Pr67, An Act respecting the City of Hamilton. *Mr Charlton. (Referred December 3, 1987.)*

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## STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Bill 13, An Act respecting Environmental Rights in Ontario. *Mrs Grier. (Referred December 10, 1987.)*

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## STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Bill 50, An Act to provide for Community Mental Health Services. *Mr Reville. (Referred December 17, 1987.)*

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## MATTERS REFERRED TO SELECT COMMITTEES

### SELECT COMMITTEE ON EDUCATION

Consider and report on the role of the formal elementary and secondary school system in the successful transition of young students to adulthood in Ontario. *(Referred by Order of the House on February 11, 1988.)*

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### SELECT COMMITTEE ON ENERGY

Consider and report on Ontario Hydro Affairs. *(Referred by Order of the House on February 11, 1988.)*

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## SELECT COMMITTEE ON CONSTITUTIONAL REFORM

Consider and report on the 1987 Constitutional Accord (Sessional Paper No. 74), and matters related thereto. (*Referred by Order of the House on November 30, 1987.*)

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## MATTERS REFERRED TO STANDING COMMITTEES

*(In accordance with the Standing Orders, statutory annual reports of each ministry and of all agencies, boards and commissions reporting to each Minister for the immediate past reporting period stand permanently referred to the appropriate Standing Committees.)*

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## STANDING COMMITTEE ON FINANCE AND ECONOMIC AFFAIRS

Consider and report on the Canada-U.S. Free Trade Agreement (Sessional Paper Number 108). (*Referred by Order of the House on January 7, 1988.*)

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## STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Consider and report on Safety in Ontario Mines. (*Referred by Order of the House on January 7, 1988.*)

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**COMMITTEE MEETING**

The Standing Committee on Regulations and Private Bills will meet to consider Bill Pr22, An Act respecting the City of Mississauga; Bill Pr10, An Act respecting the Oshawa Public Utilities Commission; and Bill Pr62, An Act respecting the Windsor Utilities Commission, as follows:

Wednesday, 13 April

10.00 a.m.

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Committee Room No. 1

## ESTIMATES

TOTAL HOURS FOR CONSIDERATION OF  
ALL ESTIMATES ..... 381 hrs., 30 mins.

### IN COMMITTEE OF SUPPLY

(Estimates to be taken in order shown)

1. Lieutenant Governor,  
Premier and Cabinet Office ..... 7 hrs., 30 mins.
2. Government Services ..... 7 hrs., 30 mins.  
(Includes supplementaries, Number 2)‡
3. Intergovernmental Affairs ..... 7 hrs., 30 mins.
4. Management Board of Cabinet ..... 7 hrs., 30 mins.
5. Revenue ..... 7 hrs., 30 mins.  
(Includes supplementaries, Number 1)†
6. Francophone Affairs ..... 7 hrs., 30 mins.

### IN STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

(Estimates to be taken in order shown)

1. Treasury and Economics ..... (Completed Tuesday, December 8, 1987)
2. Energy ..... 5 hrs., 54 mins.  
(Includes supplementaries, Number 1)†  
(Adjourned at Vote 1301, Item 1)
3. Attorney General ..... 7 hrs., 30 mins.  
(Includes supplementaries, Number 1)†  
(Includes supplementaries, Number 2)‡
4. Consumer and Commercial Relations ..... 7 hrs., 30 mins.  
(Includes supplementaries, Number 1)†
5. Correctional Services ..... 7 hrs., 30 mins.
6. Financial Institutions ..... 7 hrs., 30 mins.
7. Office Responsible for  
Native Affairs ..... 7 hrs., 30 mins.
8. Solicitor General ..... 7 hrs., 30 mins.

†Supplementary Estimates Number 1 Tabled November 23, 1987.

‡Supplementary Estimates Number 2 Tabled February 5, 1988.

## IN STANDING COMMITTEE ON GENERAL GOVERNMENT

(Estimates to be taken in order shown)

1. Labour ..... 3 hrs., 06 mins.  
(Adjourned at Vote 2101, Item 1)
2. Northern Development ..... 7 hrs., 30 mins.
3. Office Responsible for  
Women's Issues ..... 7 hrs., 30 mins.

## IN STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

(Estimates to be taken in order shown)

1. Office of the Assembly ..... 5 hrs.  
(Includes supplementaries, Number 1)<sup>†</sup>
2. Office of the  
Chief Election Officer ..... 5 hrs.

## IN STANDING COMMITTEE ON THE OMBUDSMAN

(Estimates to be taken in order shown)

1. Office of the Ombudsman ..... 5 hrs.  
(Includes supplementaries, Number 1)<sup>†</sup>

## IN STANDING COMMITTEE ON PUBLIC ACCOUNTS

(Estimates to be taken in order shown)

1. Office of the Provincial Auditor .. (Completed Thursday, December 17, 1987)

<sup>†</sup>Supplementary Estimates Number 1 Tabled November 23, 1987.

## IN STANDING COMMITTEE ON RESOURCES DEVELOPMENT

(Estimates to be taken in order shown)

1. Industry, Trade and Technology . *(Completed Thursday, December 10, 1987)*
2. Housing ..... *(Completed Thursday, December 17, 1987)*
3. Environment ..... 7 hrs., 30 mins.  
*(Includes supplementaries, Number 1)†*
4. Agriculture and Food ..... 7 hrs., 30 mins.  
*(Includes supplementaries, Number 1)†*
5. Mines ..... 7 hrs., 30 mins.
6. Municipal Affairs ..... 7 hrs., 30 mins.  
*(Includes supplementaries, Number 1)†*  
*(Includes supplementaries, Number 2)‡*
7. Natural Resources ..... 7 hrs., 30 mins.  
*(Includes supplementaries, Number 1)†*
8. Tourism and Recreation ..... 7 hrs., 30 mins.
9. Transportation ..... 7 hrs., 30 mins.  
*(Includes supplementaries, Number 1)†*
10. Industry, Trade and Technology ..... —  
*(Supplementaries only, Number 2)‡*
11. Housing ..... —  
*(Supplementaries only, Number 2)‡*

†Supplementary Estimates Number 1 Tabled November 23, 1987.

‡Supplementary Estimates Number 2 Tabled February 5, 1988.



## IN STANDING COMMITTEE ON SOCIAL DEVELOPMENT

(Estimates to be taken in order shown)

1. Skills Development ..... (Completed Thursday, December 10, 1987)
2. Office for Disabled Persons ..... (Completed Thursday, December 17, 1987)
3. Education ..... 7 hrs., 30 mins.  
(Includes supplementaries, Number 2)‡
4. Office Responsible for  
Senior Citizens' Affairs ..... 7 hrs., 30 mins.
5. Citizenship ..... 7 hrs., 30 mins.
6. Colleges and Universities ..... 7 hrs., 30 mins.  
(Includes supplementaries, Number 1)†
7. Community and Social Services ..... 7 hrs., 30 mins.  
(Includes supplementaries, Number 1)†  
(Includes supplementaries, Number 2)‡
8. Culture and Communications ..... 7 hrs., 30 mins.
9. Health ..... 7 hrs., 30 mins.  
(Includes supplementaries, Number 1)†  
(Includes supplementaries, Number 2)‡
10. Skills Development ..... —  
(Supplementaries only, Number 1)†
11. Office for Disabled Persons ..... —  
(Supplementaries only, Number 1)†

†Supplementary Estimates Number 1 Tabled November 23, 1987.

‡Supplementary Estimates Number 2 Tabled February 5, 1988.



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No. 43

# Orders and Notices

Legislative Assembly  
of the Province of Ontario



**1st Session, 34th Parliament**  
**Monday, April 11, 1988**

## THIRD READING

1. Bill 77, An Act to amend the Municipal Elections Act and the Assessment Act. *Mr Eakins.*

## GOVERNMENT BILLS AND ORDERS

2. *Second Reading* Bill 4, An Act to amend the Metropolitan Toronto Police Force Complaints Act, 1984. *Mr Scott.* **PRINTED.**
3. *Second Reading* Bill 5, An Act to amend the Proceedings Against the Crown Act. *Mr Scott.* **PRINTED.**
4. *Second Reading* Bill 6, An Act to amend the Execution Act. *Mr Scott.* **PRINTED.**
5. *Second Reading* Bill 7, An Act to implement the Model Law on International Commercial Arbitration adopted by the United Nations Commission on International Trade Law. *Mr Scott.* **PRINTED.**

*Deuxième lecture* Projet de loi 7, Loi portant mise en application de la Loi type sur l'arbitrage commercial international adoptée par la Commission des Nations Unies pour le droit commercial international. *M. Scott.* **IMPRIMÉ.**

6. *Second Reading* Bill 9, An Act permitting Trustees and other Persons to dispose of South African investments. *Mr Scott.* **PRINTED.**

*Deuxième lecture* Projet de loi 9, Loi permettant aux fiduciaires et à d'autres personnes d'aliéner les placements sud-africains. *M. Scott.* **IMPRIMÉ.**

7. *Second Reading* Bill 15, An Act to amend the Barristers Act. *Mr Scott.* **PRINTED.**
8. *Second Reading* Bill 22, An Act to regulate Motor Vehicle Repairs. *Mr Wrye.* **PRINTED.**
9. *Second Reading* Bill 26, An Act to regulate Prepaid Services. *Mr Wrye.* **PRINTED.**
10. *Second Reading* Bill 27, An Act respecting Prearranged and Prepaid Funerals. *Mr Wrye.* **PRINTED.**
11. *Second Reading* Bill 28, An Act to amend the Funeral Services Act. *Mrs Caplan.* **PRINTED.**
12. *Second Reading* Bill 52, An Act to amend the Consumer Reporting Act. *Mr Wrye.* **PRINTED.**
13. *Second Reading* Bill 59, An Act to amend the Municipal Act and certain other Acts related to municipalities. *Mr Eakins.* **PRINTED.**



14. *Second Reading* Bill 66, An Act respecting Agricultural and Horticultural Organizations. *Mr Riddell.* **PRINTED.\***
15. *Second Reading* Bill 68, An Act to promote the Conservation of Certain Land. *Mr Kerrio.* **PRINTED.**
16. *Second Reading* Bill 69, An Act to amend the Education Act. *Mr Ward.* **PRINTED.**
17. *Second Reading* Bill 70, An Act to amend the Education Act. *Mr Ward.* **PRINTED.**
18. *Second Reading* Bill 76, An Act to amend the Education Act and certain other Acts related to Education. *Mr Ward.* **PRINTED.**
19. *Second Reading* Bill 78, An Act respecting the Sale of Farm Implements. *Mr Riddell.* **PRINTED.**
20. *Second Reading* Bill 82, An Act respecting Energy Efficiency. *Mr Wong.* **PRINTED.**
21. *Second Reading* Bill 83, An Act respecting the Protection of Farm Practices. *Mr Riddell.* **PRINTED.**
22. *Second Reading* Bill 84, An Act to amend the Corporations Tax Act. *Mr Grandmaître.* **PRINTED.\***
23. *Second Reading* Bill 85, An Act to amend the Mining Tax Act. *Mr Grandmaître.* **PRINTED.\***
24. *Second Reading* Bill 86, An Act to amend the Highway Traffic Act. *Mr Fulton.* **PRINTED.**
25. *Second Reading* Bill 87, An Act to amend the Ontario Highway Transport Board Act. *Mr Fulton.* **PRINTED.**
26. *Second Reading* Bill 88, An Act to regulate Truck Transportation. *Mr Fulton.* **PRINTED.**
27. *Second Reading* Bill 90, An Act respecting the United Nations Convention on Contracts for the International Sale of Goods. *Mr Scott.* **PRINTED.**

*Deuxième lecture* Projet de loi 90, Loi concernant la Convention des Nations Unies sur les contrats de vente internationale de marchandises. *M. Scott.* **IMPRIMÉ.**

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\*Lieutenant Governor's Recommendation received.

28. *Second Reading* Bill 93, An Act to revise the Justices of the Peace Act. *Mr Scott.* **PRINTED.**  
  
*Deuxième lecture* Projet de loi 93, Loi portant révision de la Loi sur les juges de paix. *M. Scott.* **IMPRIMÉ.**
  29. *Second Reading* Bill 98, An Act to amend the Public Transportation and Highway Improvement Act. *Mr Fulton.* **PRINTED.**
  30. *Second Reading* Bill 99, An Act to amend the Ministry of Transportation and Communications Act. *Mr Fulton.* **PRINTED.**
  31. *Second Reading* Bill 100, An Act to amend the Education Act. *Mr Ward.* **PRINTED.**
  32. *Second Reading* Bill 101, An Act to repeal the Ministry of Transportation and Communications Creditors Payment Act. *Mr Fulton.* **PRINTED.**
  33. *Second Reading* Bill 102, An Act to amend the Construction Lien Act, 1983. *Mr Fulton.* **PRINTED.**
  34. *Second Reading* Bill 106, An Act to amend the Municipal Elections Act and the Municipal Act. *Mr Eakins.*
  35. *Second Reading* Bill 107, An Act to amend the Child and Family Services Act, 1984. *Mr Sweeney.*
  36. *Second Reading* Bill 108, An Act to amend the Rental Housing Protection Act, 1986. *Ms Hošek.*
  37. *Resuming the Adjourned Debate* on the Motion for Interim Supply for the period commencing April 16, 1988, and ending June 30, 1988.
  38. *Concurrence in Supply* for the Ministry of Treasury and Economics.
  39. *Concurrence in Supply* for the Ministry of Skills Development.
  40. *Concurrence in Supply* for the Ministry of Industry, Trade and Technology.
  41. *Concurrence in Supply* for the Office of the Provincial Auditor.
  42. *Concurrence in Supply* for the Office for Disabled Persons.
  43. *Concurrence in Supply* for the Ministry of Housing.
  44. *House in Committee of Supply.*
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## PRIVATE MEMBERS' PUBLIC BILLS AND ORDERS

### 45. *Committee of the Whole House:*

Bill 24, An Act to establish a Tourism Advisory Board. *Mr McLean.*  
**PRINTED.**

Bill 75, An Act to establish the Municipal Council Retirement Fund and to provide Retirement Allowances to Municipal Councillors. *Mr Cureatz.* **PRINTED.**

46. *Second Reading* Bill 3, An Act to protect the Public Health and Comfort and the Environment by Prohibiting and Controlling Smoking in Public Places. *Mr Sterling.* **PRINTED.**

47. *Second Reading* Bill 8, An Act to amend the Representation Act, 1986. *Mr Villeneuve.* **PRINTED.**

48. *Second Reading* Bill 10, An Act to amend the Election Act, 1984. *Mr Cousens.* **PRINTED.**

49. *Second Reading* Bill 12, An Act to ban Sunday racing and intertrack wagering at Greenwood Raceway and to change the composition and procedures of the Ontario Racing Commission. *Ms Bryden.* **PRINTED.**

50. *Second Reading* Bill 14, An Act to protect and enhance the Quality of Drinking Water in Ontario. *Mrs Grier.* **PRINTED.**

51. *Second Reading* Bill 16, An Act to encourage the Rehabilitation of Water Delivery Systems in Ontario. *Mrs Marland.* **PRINTED.**

52. *Second Reading* Bill 17, An Act to amend the Planning Act, 1983. *Mr Johnston (Scarborough West).* **PRINTED.**

53. *Second Reading* Bill 18, An Act to provide for the Conversion of Technologies and Skills used in the Nuclear Weapons Industry to Civilian Use. *Mr Johnston (Scarborough West).* **PRINTED.**

54. *Second Reading* Bill 23, An Act to proclaim 1995 as the 150th Anniversary of the arrival of Irish Immigrants in Canada. *Mr Pollock.* **PRINTED.**

55. *Second Reading* Bill 30, An Act to amend the Pension Benefits Act. *Mr Mackenzie.* **PRINTED.**

56. *Second Reading* Bill 31, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**

57. *Second Reading* Bill 32, An Act to provide for the Employment of Disabled Persons. *Mr Mackenzie.* **PRINTED.**

58. *Second Reading* Bill 33, An Act to amend the Education Act. *Mr Mackenzie.* **PRINTED.**

59. *Second Reading* Bill 34, An Act to amend the Employment Standards Act.  
*Mr Mackenzie. PRINTED.*
60. *Second Reading* Bill 35, An Act to amend the Public Vehicles Act. *Mr Mackenzie. PRINTED.*
61. *Second Reading* Bill 36, An Act to provide Political Rights for Public Servants. *Mr Mackenzie. PRINTED.*
62. *Second Reading* Bill 37, An Act to amend the Labour Relations Act. *Mr Mackenzie. PRINTED.*
63. *Second Reading* Bill 38, An Act to amend the Labour Relations Act. *Mr Mackenzie. PRINTED.*
64. *Second Reading* Bill 39, An Act to amend the Labour Relations Act. *Mr Mackenzie. PRINTED.*
65. *Second Reading* Bill 40, An Act to amend the Labour Relations Act. *Mr Mackenzie. PRINTED.*
66. *Second Reading* Bill 41, An Act to amend the Employment Standards Act.  
*Mr Mackenzie. PRINTED.*
67. *Second Reading* Bill 42, An Act to amend the Employment Standards Act.  
*Mr Mackenzie. PRINTED.*
68. *Second Reading* Bill 43, An Act to amend the Employment Standards Act.  
*Mr Mackenzie. PRINTED.*
69. *Second Reading* Bill 44, An Act to amend the Employment Standards Act.  
*Mr Mackenzie. PRINTED.*
70. *Second Reading* Bill 45, An Act to amend the Children's Law Reform Act.  
*Mr Cousens. PRINTED.*
71. *Second Reading* Bill 47, An Act to amend the Highway Traffic Act. *Mrs Grier. PRINTED.*
72. *Second Reading* Bill 48, An Act to amend the Police Act. *Mr Eves. PRINTED.*
73. *Second Reading* Bill 49, An Act to relieve Persons from Liability in respect of voluntary Emergency Medical and First Aid Services. *Mr Haggerty. PRINTED.*
74. *Second Reading* Bill 53, An Act to provide for the Safety and Welfare of Crown Witnesses in Certain Criminal Proceedings. *Mr Runciman. PRINTED.*
75. *Second Reading* Bill 57, An Act to amend the Energy Act. *Mr Wildman. PRINTED.*



76. *Second Reading* Bill 60, An Act respecting the Sale of Farm Machinery and Equipment in Ontario. *Mr Wildman.* **PRINTED.**
77. *Second Reading* Bill 62, An Act to amend the Health Protection and Promotion Act, 1983. *Mr Henderson.* **PRINTED.**
78. *Second Reading* Bill 63, An Act to amend the Laboratory and Specimen Collection Centre Licensing Act. *Mr Henderson.* **PRINTED.**
79. *Second Reading* Bill 64, An Act to amend the Health Insurance Act. *Mr Henderson.* **PRINTED.**
80. *Second Reading* Bill 67, An Act to establish the East/Central Ontario Recreational Trails Commission. *Mr Pollock.* **PRINTED.**
81. *Second Reading* Bill 71, An Act to amend the Occupational Health and Safety Act. *Mr Rae (York South).* **PRINTED.**
82. *Second Reading* Bill 72, An Act respecting Simcoe Day. *Mr McLean.* **PRINTED.**
83. *Second Reading* Bill 73, An Act to amend the Public Service Superannuation Act. *Mr McLean.* **PRINTED.**
84. *Second Reading* Bill 74, An Act to amend the Legislative Assembly Retirement Allowances Act. *Mr McLean.* **PRINTED.**
85. *Second Reading* Bill 89, An Act requiring municipalities to establish Programs for the Recycling of Garbage. *Mrs Marland.* **PRINTED.**
86. *Second Reading* Bill 91, An Act to amend the Election Act. *Mr Sterling.* **PRINTED.**
87. *Second Reading* Bill 92, An Act to prevent unjust enrichment through the Financial Exploitation of Crime. *Mr Wildman.* **PRINTED.**
88. *Second Reading* Bill 94, An Act to prohibit Discrimination by Municipalities against Unrelated Persons Occupying Residential Property. *Mr Jackson.* **PRINTED.**
89. *Second Reading* Bill 95, An Act to amend the Children's Law Reform Act. *Mr Henderson.* **PRINTED.**
90. *Second Reading* Bill 96, An Act to amend the Highway Traffic Act. *Mr Wildman.* **PRINTED.**
91. *Second Reading* Bill 97, An Act to amend Human Rights Code, 1981. *Mr Reville.* **PRINTED.**
92. *Second Reading* Bill 103, An Act respecting Living Wills. *Mr Cureatz.* **PRINTED.**

93. *Second Reading* Bill 104, An Act to amend the Courts of Justice Act, 1984.  
*Mr Cureatz. PRINTED.*
94. *Second Reading* Bill 105, An Act to amend the Legislative Assembly Act.  
*Mr Cureatz. PRINTED.*
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## NOTICES

### GOVERNMENT MOTIONS

6. *Mr. Peterson*—Resolution—WHEREAS the *Constitution Act, 1982* came into force on April 17, 1982, following an agreement between Canada and all the provinces except Quebec;

AND WHEREAS the Government of Quebec has established a set of five proposals for constitutional change and has stated that amendments to give effect to those proposals would enable Quebec to resume a full role in the constitutional councils of Canada;

AND WHEREAS the amendment proposed in the schedule hereto sets out the basis on which Quebec's five constitutional proposals may be met;

AND WHEREAS the amendment proposed in the schedule hereto also recognizes the principle of the equality of all the provinces, provides new arrangements to foster greater harmony and cooperation between the Government of Canada and the governments of the provinces and requires that conferences be convened to consider important constitutional, economic and other issues;

AND WHEREAS certain portions of the amendment proposed in the schedule hereto relate to matters referred to in section 41 of the *Constitution Act, 1982*;

AND WHEREAS section 41 of the *Constitution Act, 1982* provides that an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and the House of Commons and of the legislative assembly of each province;

NOW THEREFORE the Legislative Assembly of Ontario resolves that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by Her Excellency the Governor General under the Great Seal of Canada in accordance with the schedule hereto.

### SCHEDULE

#### CONSTITUTION AMENDMENT, 1987

##### *Constitution Act, 1867*

1. The *Constitution Act, 1867* is amended by adding thereto, immediately after section 1 thereof, the following section:

Inter-  
pretation

“2. (1) The Constitution of Canada shall be interpreted in a manner consistent with

(a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present elsewhere

in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada; and

(b) the recognition that Quebec constitutes within Canada a distinct society.

Role of  
Parliament  
and  
legislatures

(2) The role of the Parliament of Canada and the provincial legislatures to preserve the fundamental characteristic of Canada referred to in paragraph (1)(a) is affirmed.

Role of  
legislature  
and  
Government  
of Quebec

(3) The role of the legislature and Government of Quebec to preserve and promote the distinct identity of Quebec referred to in paragraph (1)(b) is affirmed.

Rights of  
legislatures  
and  
governments  
preserved

(4) Nothing in this section derogates from the powers, rights or privileges of Parliament or the Government of Canada, or of the legislatures or governments of the provinces, including any powers, rights or privileges relating to language.”

2. The said Act is further amended by adding thereto, immediately after section 24 thereof, the following section:

Names to be  
submitted

“25. (1) Where a vacancy occurs in the Senate, the Government of the province to which the vacancy relates may, in relation to that vacancy, submit to the Queen’s Privy Council for Canada the names of persons who may be summoned to the Senate.

Choice of  
Senators  
from names  
submitted

(2) Until an amendment to the Constitution of Canada is made in relation to the Senate pursuant to section 41 of the *Constitution Act, 1982*, the person summoned to fill a vacancy in the Senate shall be chosen from among persons whose names have been submitted under subsection (1) by the government of the province to which the vacancy relates and must be acceptable to the Queen’s Privy Council for Canada.”

3. The said Act is further amended by adding thereto, immediately after section 95 thereof, the following heading and sections:

#### “*Agreements on Immigration and Aliens*

Commitment  
to negotiate

95A. The Government of Canada shall, at the request of the government of any province, negotiate with the government of that province for the purpose of concluding an agreement relating to immigration or the temporary admission of aliens into that province that is appropriate to the needs and circumstances of that province.



## Agreements

**95B.** (1) Any agreement concluded between Canada and a province in relation to immigration or the temporary admission of aliens into that province has the force of law from the time it is declared to do so in accordance with subsection 95C(1) and shall from that time have effect notwithstanding class 25 of section 91 or section 95.

## Limitation

(2) An agreement that has the force of law under subsection (1) shall have effect only so long and so far as it is not repugnant to any provision of an Act of the Parliament of Canada that sets national standards and objectives relating to immigration or aliens, including any provision that establishes general classes of immigrants or relates to levels of immigration for Canada or that prescribes classes of individuals who are inadmissible into Canada.

## Application of Charter

(3) The *Canadian Charter of Rights and Freedoms* applies in respect of any agreement that has the force of law under subsection (1) and in respect of anything done by the Parliament or Government of Canada, or the legislature or government of a province, pursuant to any such agreement.

## Proclamation relating to agreements

**95C.** (1) A declaration that an agreement referred to in subsection 95B(1) has the force of law may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement.

## Amendment of agreements

(2) An amendment to an agreement referred to in subsection 95B(1) may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized

(a) by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement; or

(b) in such other manner as is set out in the agreement.

Application of sections 46 to 48 of *Constitution Act, 1982*

**95D.** Sections 46 to 48 of the *Constitution Act, 1982* apply, with such modifications as the circumstances require, in respect of any declaration made pursuant to subsection 95C(1), any amendment to an agreement made pursuant to subsection 95C(2) or any amendment made pursuant to section 95E.

## Amendments to sections 95A to 95D or this section

**95E.** An amendment to sections 95A to 95D or this section may be made in accordance with the procedure set out in subsection 38(1) of the *Constitution Act, 1982*, but only if the amendment is authorized by resolutions of the legislative assemblies of all the provinces that are, at the time of the

amendment, parties to an agreement that has the force of law under subsection 95B(1).”

4. The said Act is further amended by adding thereto, immediately preceding section 96 thereof, the following heading:

*“General”*

5. The said Act is further amended by adding thereto, immediately preceding section 101 thereof, the following heading:

*“Courts Established by the Parliament of Canada”*

6. The said Act is further amended by adding thereto, immediately after section 101 thereof, the following heading and sections:

*“Supreme Court of Canada*

Supreme  
Court  
continued

**101A.** (1) The court existing under the name of the Supreme Court of Canada is hereby continued as the general court of appeal for Canada, and as an additional court for the better administration of the laws of Canada, and shall continue to be a superior court of record.

Constitution  
of court

(2) The Supreme Court of Canada shall consist of a chief justice to be called the Chief Justice of Canada and eight other judges, who shall be appointed by the Governor General in Council by letters patent under the Great Seal.

Who may be  
appointed  
judges

**101B.** (1) Any person may be appointed a judge of the Supreme Court of Canada who, after having been admitted to the bar of any province or territory, has, for a total of at least ten years, been a judge of any court in Canada or a member of the bar of any province or territory.

Three judges  
from Quebec

(2) At least three judges of the Supreme Court of Canada shall be appointed from among persons who, after having been admitted to the bar of Quebec, have, for a total of at least ten years, been judges of any court of Quebec or of any court established by the Parliament of Canada, or members of the bar of Quebec.

Names may  
be submitted

**101C.** (1) Where a vacancy occurs in the Supreme Court of Canada, the government of each province may, in relation to that vacancy, submit to the Minister of Justice of Canada the names of any of the persons who have been admitted to the bar of that province and are qualified under section 101B for appointment to that court.

Appointment  
from names  
submitted

(2) Where an appointment is made to the Supreme Court of Canada, the Governor General in Council shall, except

where the Chief Justice is appointed from among members of the Court, appoint a person whose name has been submitted under subsection (1) and who is acceptable to the Queen's Privy Council for Canada.

Appointment  
from Quebec

(3) Where an appointment is made in accordance with subsection (2) of any of the three judges necessary to meet the requirement set out in subsection 101B(2), the Governor General in Council shall appoint a person whose name has been submitted by the Government of Quebec.

Appointment  
from other  
provinces

(4) Where an appointment is made in accordance with subsection (2) otherwise than as required under subsection (3), the Governor General in Council shall appoint a person whose name has been submitted by the government of a province other than Quebec.

Tenure,  
salaries, etc.  
of judges

**101D.** Sections 99 and 100 apply in respect of the judges of the Supreme Court of Canada.

Relationship  
to section 101

**101E.** (1) Sections 101A to 101D shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws under section 101 except to the extent that such laws are inconsistent with those sections.

References  
to the  
Supreme  
Court of  
Canada

(2) For greater certainty, section 101A shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws relating to the reference of questions of law or fact, or any other matters, to the Supreme Court of Canada."

7. The said Act is further amended by adding thereto, immediately after section 106 thereof, the following section:

Shared-cost  
program

**"106A.** (1) The Government of Canada shall provide reasonable compensation to the government of a province that chooses not to participate in a national shared-cost program that is established by the Government of Canada after the coming into force of this section in an area of exclusive provincial jurisdiction, if the province carries on a program or initiative that is compatible with the national objectives.

Legislative  
power not  
extended

(2) Nothing in this section extends the legislative powers of the Parliament of Canada or of the legislatures of the provinces."

8. The said Act is further amended by adding thereto the following heading and sections:

“XII — CONFERENCES ON THE ECONOMY AND OTHER  
MATTERS

Conferences  
on the  
economy and  
other matters

**148.** A conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year to discuss the state of Canadian economy and such other matters as may be appropriate.

XIII — REFERENCES

Reference  
includes  
amendments

**149.** A reference to this Act shall be deemed to include a reference to any amendments thereto.”

*Constitution Act, 1982*

**9.** Sections 40 to 42 of the *Constitution Act, 1982* are repealed and the following substituted therefor:

Compensation

“**40.** Where an amendment is made under subsection 38(1) that transfers legislative powers from provincial legislatures to Parliament, Canada shall provide reasonable compensation to any province to which the amendment does not apply.

Amendment  
by  
unanimous  
consent

**41.** An amendment to the Constitution of Canada in relation to the following matters may be made by proclamation issued by the Governor General under the Great Seal of Canada only where authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province:

(a) the office of the Queen, the Governor General and the Lieutenant Governor of a province;

(b) the powers of the Senate and the method of selecting Senators;

(c) the number of members by which a province is entitled to be represented in the Senate and the residence qualifications of Senators;

(d) the right of a province to a number of members in the House of Commons not less than the number of Senators by which the province was entitled to be represented on April 17, 1982;

(e) the principle of proportionate representation of the provinces in the House of Commons prescribed by the Constitution of Canada;

(f) subject to section 43, the use of the English or the French language;



(g) the Supreme Court of Canada;

(h) the extension of existing provinces into the territories;

(i) notwithstanding any other law or practice, the establishment of new provinces; and

(j) an amendment to this Part.”

**10.** Section 44 of the said Act is repealed and the following substituted therefor:

Amendments  
by  
Parliament

“**44.** Subject to section 41, Parliament may exclusively make laws amending the Constitution of Canada in relation to the executive government of Canada or the Senate and House of Commons.”

**11.** Subsection 46(1) of the said Act is repealed and the following substituted therefor:

Initiation of  
amendment  
procedures

“**46.** (1) The procedures for amendment under sections 38, 41 and 43 may be initiated either by the Senate or the House of Commons or by the legislative assembly of a province.”

**12.** Subsection 47(1) of the said Act is repealed and the following substituted therefor:

Amendments  
without  
Senate  
resolution

“**47.** (1) An amendment to the Constitution of Canada made by proclamation under section 38, 41 or 43 may be made without a resolution of the Senate authorizing the issue of the proclamation if, within one hundred and eighty days after the adoption by the House of Commons of a resolution authorizing its issue, the Senate has not adopted such a resolution and if, at any time after the expiration of that period, the House of Commons again adopts the resolution.”

**13.** Part VI of the said Act is repealed and the following substituted therefor:

#### “PART VI

#### CONSTITUTIONAL CONFERENCES

Constitu-  
tional  
conference

**50.** (1) A constitutional conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year, commencing in 1988.

Agenda

(2) The conferences convened under subsection (1) shall have included on their agenda the following matters:

(a) Senate reform, including the role and functions of the Senate, its powers, the method of selecting Senators and representation in the Senate;

(b) roles and responsibilities in relation to fisheries; and

(c) such other matters as are agreed upon.”

14. Subsection 52(2) of the said Act is amended by striking out the word “and” at the end of paragraph (b) thereof, by adding the word “and” at the end of paragraph (c) thereof and by adding thereto the following paragraph:

“(d) any other amendment to the Constitution of Canada.”

15. Section 61 of the said Act is repealed and the following substituted therefor:

References

“61. A reference to the *Constitution Act, 1982*, or a reference to the *Constitution Acts 1867 to 1982*, shall be deemed to include a reference to any amendments thereto.”

*General*

Multicultural  
heritage and  
aboriginal  
people

16. Nothing in section 2 of the *Constitution Act, 1867* affects section 25 or 27 of the *Canadian Charter of Rights and Freedoms*, section 35 of the *Constitution Act, 1982* or class 24 of section 91 of the *Constitution Act, 1867*.

CITATION

Citation

17. This amendment may be cited as the *Constitution Amendment, 1987. November 24, 1987*.

M. Peterson—Résolution—

Attendu :

que la *Loi constitutionnelle de 1982* est entrée en vigueur le 17 avril 1982, à la suite d'un accord conclu entre le Canada et toutes les provinces, sauf le Québec;

que, selon le gouvernement du Québec, l'adoption de modifications visant à donner effet à ses cinq propositions de révision constitutionnelle permettrait au Québec de jouer pleinement de nouveau son rôle dans les instances constitutionnelles canadiennes;

que le projet de modification figurant en annexe présente les modalités d'un règlement relatif aux cinq propositions du Québec;

que le projet reconnaît le principe de l'égalité de toutes les provinces et prévoit, d'une part, de nouveaux arrangements propres à renforcer l'harmonie et la coopération entre le gouvernement du Canada et ceux des provinces, d'autre part la tenue de conférences consacrées à l'étude d'importantes questions constitutionnelles, économiques et autres;

que le projet porte en partie sur des questions visées à l'article 41 de la *Loi constitutionnelle de 1982*;

que cet article prévoit que la Constitution du Canada peut être modifiée par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de chaque province,

l'Assemblée législative de l'Ontario a résolu d'autoriser la modification de la Constitution du Canada par proclamation de Son Excellence le gouverneur général sous le grand sceau du Canada, en conformité avec l'annexe ci-jointe.

## ANNEXE

### MODIFICATION CONSTITUTIONNELLE DE 1987

#### *Loi constitutionnelle de 1867*

1. La *Loi constitutionnelle de 1867* est modifiée par insertion, après l'article 1, de ce qui suit:

Règle  
interprétative

«2. (1) Toute interprétation de la Constitution du Canada doit concorder avec :

a) la reconnaissance de ce que l'existence de Canadiens d'expression française, concentrés au Québec mais présents aussi dans le reste du pays, et de Canadiens d'expression anglaise, concentrés dans le reste du pays mais aussi présents au Québec, constitue une caractéristique fondamentale du Canada;

b) la reconnaissance de ce que le Québec forme au sein du Canada une société distincte.

Rôle du  
Parlement et  
des  
législatures

(2) Le Parlement du Canada et les législatures des provinces ont le rôle de protéger la caractéristique fondamentale du Canada visée à l'alinéa (1) a).

Rôle de la  
législature et  
du gouverne-  
ment du  
Québec

(3) La législature et le gouvernement du Québec ont le rôle de protéger et de promouvoir le caractère distinct du Québec visé à l'alinéa (1) b).

Maintien des  
droits des  
législatures et  
gouverne-  
ments

(4) Le présent article n'a pas pour effet de déroger aux pouvoirs, droits ou privilèges du Parlement ou du gouvernement du Canada, ou des législatures ou des gouvernements des provinces, y compris à leurs pouvoirs, droits ou privilèges en matière de langue.»

2. La même loi est modifiée par insertion, après l'article 24, de ce qui suit :

Propositions

«25. (1) En cas de vacance au Sénat, le gouvernement de la province à représenter peut proposer au Conseil privé de la Reine pour le Canada des personnes susceptibles d'être nommées au siège vacant.

Choix des  
sénateurs

(2) Jusqu'à la modification, faite conformément à l'article 41 de la *Loi constitutionnelle de 1982*, de toute disposition de la Constitution du Canada relative au Sénat, les personnes nommées aux sièges vacants au Sénat sont choisies parmi celles qui ont été proposées par le gouvernement de la province à représenter et agréées par le Conseil privé de la Reine pour le Canada.»

3. La même loi est modifiée par insertion, après l'article 95, de ce qui suit :

«*Accords relatifs à l'immigration et aux aubains*

Engagement

95A. Sur demande du gouvernement d'une province, le gouvernement du Canada négocie avec lui en vue de conclure, en matière d'immigration ou d'admission temporaire des aubains dans la province, un accord adapté aux besoins et à la situation particulière de celle-ci.

Accords

95B. (1) Tout accord conclu entre le Canada et une province en matière d'immigration ou d'admission temporaire des aubains dans la province a, une fois faite la déclaration visée au paragraphe 95C(1), force de loi et a dès lors effet indépendamment tant du point 25 de l'article 91 que de l'article 95.



## Restriction

(2) L'accord ayant ainsi force de loi n'a d'effet que dans la mesure de sa compatibilité avec les dispositions des lois du Parlement du Canada qui fixent des normes et objectifs nationaux relatifs à l'immigration et aux aubains, notamment en ce qui concerne l'établissement des catégories générales d'immigrants, les niveaux d'immigration au Canada et la détermination des catégories de personnes inadmissibles au Canada.

Application  
de la Charte

(3) La *Charte canadienne des droits et libertés* s'applique aux accords ayant ainsi force de loi et à toute mesure prise sous leur régime par le Parlement ou le gouvernement du Canada ou par la législature ou le gouvernement d'une province.

Proclamation  
relative aux  
accords

**95C.** (1) La déclaration portant qu'un accord visé au paragraphe 95B(1) a force de loi se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord.

Modification  
des accords

(2) La modification d'un accord visé au paragraphe 95B(1) se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée :

a) soit par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord;

b) soit selon les modalités prévues dans l'accord même.

Application  
des articles  
46 à 48 de la  
*Loi constitutionnelle de 1982*

**95D.** Les articles 46 à 48 de la *Loi constitutionnelle de 1982* s'appliquent, avec les adaptations nécessaires, à toute déclaration faite aux termes du paragraphe 95C(1), à toute modification d'un accord faite aux termes du paragraphe 95C(2) ou à toute modification faite aux termes de l'article 95E.

Modification  
des articles  
95A à 95D ou  
du présent  
article

**95E.** Les articles 95A à 95D ou le présent article peuvent être modifiés conformément au paragraphe 38(1) de la *Loi constitutionnelle de 1982*, à condition que la modification soit autorisée par des résolutions des assemblées législatives de toutes les provinces qui sont, à l'époque de celle-ci, parties à un accord ayant force de loi aux termes du paragraphe 95B(1).»

4. La même loi est modifiée par insertion, avant l'article 96, de ce qui suit :

## «Dispositions générales»

5. La même loi est modifiée par insertion, avant l'article 101, de ce qui suit :

*«Tribunaux créés par le Parlement du Canada»*

6. La même loi est modifiée par insertion, après l'article 101, de ce qui suit :

*«Cour suprême du Canada*

Maintien de  
la Cour  
suprême  
du Canada

**101A.** (1) La cour qui existe sous le nom de Cour suprême du Canada est maintenue à titre de cour générale d'appel pour le Canada et de cour additionnelle propre à améliorer l'application des lois du Canada. Elle conserve ses attributions de cour supérieure d'archives.

Composition

(2) La Cour suprême du Canada se compose du juge en chef, appelé juge en chef du Canada, et de huit autres juges, que nomme le gouverneur général en conseil par lettres patentes sous le grand sceau.

Conditions  
de  
nomination

**101B.** (1) Les juges sont choisis parmi les personnes qui, après avoir été admises au barreau d'une province ou d'un territoire, ont, pendant au moins dix ans au total, été juges de n'importe quel tribunal du pays ou inscrites au barreau de n'importe quelle province ou de n'importe quel territoire.

Québec :  
trois juges

(2) Au moins trois des juges sont choisis parmi les personnes qui, après avoir été admises au barreau du Québec, ont, pendant au moins dix ans au total, été inscrites à ce barreau ou juges d'un tribunal du Québec ou d'un tribunal créé par le Parlement du Canada.

Propositions  
de  
nomination

**101C.** (1) En cas de vacance à la Cour suprême du Canada, le gouvernement de chaque province peut proposer au ministre fédéral de la Justice, pour la charge devenue vacante, des personnes admises au barreau de cette province et remplissant les conditions visées à l'article 101B.

Nomination  
parmi les  
personnes  
proposées

(2) Le gouverneur général en conseil procède aux nominations parmi les personnes proposées et qui agréent au Conseil privé de la Reine pour le Canada; le présent paragraphe ne s'applique pas à la nomination du juge en chef dans les cas où il est choisi parmi les juges de la Cour suprême du Canada.

Nomination  
parmi les  
personnes  
proposées  
par le  
Québec

(3) Dans le cas de chacune de trois nominations à faire conformément au paragraphe 101B(2), le gouverneur général en conseil nomme une personne proposée par le gouvernement du Québec.

Nomination  
parmi les  
personnes  
proposées  
par les autres  
provinces

(4) Dans le cas de toute autre nomination, le gouverneur général en conseil nomme une personne proposée par le gouvernement d'une autre province que le Québec.

Inamovibilité,  
traitement,  
etc.

**101D.** Les articles 99 et 100 s'appliquent aux juges de la Cour suprême du Canada.

Rapport avec  
l'article 101

**101E.** (1) Sous réserve que ne soient pas adoptées, dans les matières visées à l'article 101, de dispositions incompatibles avec les articles 101A à 101D, ceux-ci n'ont pas pour effet de porter atteinte à la compétence législative conférée au Parlement du Canada en ces matières.

Renvois à la  
Cour  
suprême du  
Canada

(2) Il est entendu que l'article 101A n'a pas pour effet de porter atteinte à la compétence législative du Parlement du Canada en ce qui concerne le renvoi à la Cour suprême du Canada de questions de droit ou de fait, ou de toute autre question.»

7. La même loi est modifiée par insertion, après l'article 106, de ce qui suit :

Programmes  
cofinancés

«**106A.** (1) Le gouvernement du Canada fournit une juste compensation au gouvernement d'une province qui choisit de ne pas participer à un programme national cofinancé qu'il établit après l'entrée en vigueur du présent article dans un secteur de compétence exclusive provinciale, si la province applique un programme ou une mesure compatible avec les objectifs nationaux.

Non-élargis-  
sement des  
compétences  
législatives

(2) Le présent article n'élargit pas les compétences législatives du Parlement du Canada ou des législatures des provinces.»

8. La même loi est modifiée par insertion, après l'article 147, de ce qui suit :

#### «XII. — CONFÉRENCES SUR L'ÉCONOMIE ET SUR D'AUTRES QUESTIONS

Convocation

**148.** Le premier ministre du Canada convoque au moins une fois par an une conférence réunissant les premiers ministres provinciaux et lui-même et portant sur l'économie canadienne ainsi que sur toute autre question appropriée.

#### XIII. — MENTIONS

Présomption

**149.** Toute mention de la présente loi est réputée constituer également une mention de ses modifications.»

#### *Loi constitutionnelle de 1982*

9. Les articles 40 à 42 de la *Loi constitutionnelle de 1982* sont abrogés et remplacés par ce qui suit :

Compen-  
sation

«40. Le Canada fournit une juste compensation aux provinces auxquelles ne s'applique pas une modification faite conformément au paragraphe 38(1) et relative à un transfert de compétences législatives provinciales au Parlement.

Consente-  
ment  
unanime

41. Toute modification de la Constitution du Canada portant sur les questions suivantes se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de chaque province :

a) la charge de Reine, celle de gouverneur général et celle de lieutenant-gouverneur;

b) les pouvoirs du Sénat et le mode de sélection des sénateurs;

c) le nombre des sénateurs par lesquels une province est habilitée à être représentée et les conditions de résidence qu'ils doivent remplir;

d) le droit d'une province d'avoir à la Chambre des communes un nombre de députés au moins égal à celui des sénateurs par lesquels elle était habilitée à être représentée le 17 avril 1982;

e) le principe de la représentation proportionnelle des provinces à la Chambre des communes prévu par la Constitution du Canada;

f) sous réserve de l'article 43, l'usage du français ou de l'anglais;

g) la Cour suprême du Canada;

h) le rattachement aux provinces existantes de tout ou partie des territoires;

i) par dérogation à toute autre loi ou usage, la création de provinces;

j) la modification de la présente partie.»

10. L'article 44 de la même loi est abrogé et remplacé par ce qui suit :

Modification  
par le  
Parlement

«44. Sous réserve de l'article 41, le Parlement a compétence exclusive pour modifier les dispositions de la Constitution du Canada relatives au pouvoir exécutif fédéral, au Sénat ou à la Chambre des communes.»



**11.** Le paragraphe 46(1) de la même loi est abrogé et remplacé par ce qui suit :

Initiative des  
procédures

«**46.** (1) L'initiative des procédures de modification visées aux articles 38, 41 et 43 appartient au Sénat, à la Chambre des communes ou à une assemblée législative.»

**12.** Le paragraphe 47(1) de la même loi est abrogé et remplacé par ce qui suit :

Modification  
sans  
résolution du  
Sénat

«**47.**(1) Dans les cas visés à l'article 38, 41 ou 43, il peut être passé outre au défaut d'autorisation du Sénat si celui-ci n'a pas adopté de résolution dans un délai de cent quatre-vingts jours suivant l'adoption de celle de la Chambre des communes et si cette dernière, après l'expiration du délai, adopte une nouvelle résolution dans le même sens.»

**13.** La partie VI de la même loi est abrogée et remplacée par ce qui suit :

#### «PARTIE VI

#### CONFÉRENCES CONSTITUTIONNELLES

Convocation

**50.** (1) Le premier ministre du Canada convoque au moins une fois par an une conférence constitutionnelle réunissant les premiers ministres provinciaux et lui-même, la première devant avoir lieu en 1988.

Ordre du  
jour

(2) Sont placées à l'ordre du jour de ces conférences les questions suivantes :

*a)* la réforme du Sénat, y compris son rôle et ses fonctions, ses pouvoirs, le mode de sélection des sénateurs et la représentation au Sénat;

*b)* les rôles et les responsabilités en matière de pêches;

*c)* toutes autres questions dont il est convenu.»

**14.** Le paragraphe 52(2) de la même loi est modifié par adjonction de ce qui suit :

«*d)* les autres modifications qui lui sont apportées.»

**15.** L'article 61 de la même loi est abrogé et remplacé par ce qui suit :

Mentions

«**61.** Toute mention de la *Loi constitutionnelle de 1982* ou des *Lois constitutionnelles de 1867 à 1982* est réputée constituer également une mention de leurs modifications.»

### Dispositions générales

Patrimoine  
multiculturel  
et peuples  
autochtones

**16.** L'article 2 de la *Loi constitutionnelle de 1867* n'a pas pour effet de porter atteinte aux articles 25 ou 27 de la *Charte canadienne des droits et libertés*, à l'article 35 de la *Loi constitutionnelle de 1982* ou au point 24 de l'article 91 de la *Loi constitutionnelle de 1867*.

### TITRE

Titre

**17.** Titre de la présente modification : *Modification constitutionnelle de 1987. Le 24 novembre 1987.*

9. *Debated April 7, 1988.*
10. *Mr Conway*—Resolution—That the 1987-1988 Estimates and Supplementary Estimates which have not yet been passed by the committees and reported to the House be deemed to be passed and reported to the House, and that the 1987-1988 Estimates and Supplementary Estimates be deemed to be concurred in. *April 7, 1988.*

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### MOTION OF NON CONFIDENCE UNDER STANDING ORDER 70 (a)

1. *Mr Rae* (York South)—Notice—That the Government lacks the confidence of this House because of its abject failure to provide decent, affordable housing for the working families of Ontario—in particular, through its failure to increase the supply of affordable housing; through its failure to protect the existing housing stock; and through its failure to protect tenants. *April 11, 1988.*
-

## PRIVATE MEMBERS' MOTIONS

1. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that huge rent increases year after year are constituting a threat to the competitiveness and survival of retail business in commercial strips serving residential neighbourhoods, the Government of Ontario should introduce legislation as soon as possible to regulate the rents for such business establishments in order to provide those businesses with protection from gouging landlords comparable to the protection given to tenants of residential rental premises under the Residential Rent Regulation Act, 1986. *November 10, 1987.*
2. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that part-time workers in both the public and private sector are discriminated against by the denial of many benefits and rights provided to other workers in the same establishment, a charter of rights for part-time workers should be added to both the Employment Standards Act and the Labour Relations Act to provide pro rata benefits and collective bargaining rights to such workers and that they be made eligible for severance pay and retraining and readjustment programs provided for other workers displaced by technological change in the same establishment. *November 10, 1987.*
4. *Mr Morin-Strom*—Resolution—That, in the opinion of this House, recognizing the importance of the TransCanada Highway to our nation and to our province, the government of Ontario should upgrade the TransCanada Highway to a modern four-lane system through Northern Ontario to the Manitoba border, and that the government should immediately commence design and schedule construction to ensure completion across Northern Ontario by 1997. *November 18, 1987.*
9. *Mr Wildman*—Resolution—That, in the opinion of this House, the plans of the Canada Post Corporation to close, amalgamate or franchise many rural post offices and to eliminate or tender rural route services in order to reduce its operating deficit would reduce essential mail services from many rural Ontario communities, causing severe hardship and inconvenience to rural Ontarians, particularly the elderly and disabled; the Government of Ontario should urge the Government of Canada to halt, immediately, these plans to cut service and maintain and improve rural postal services across Ontario. *December 8, 1987.*
10. *Mr Swart*—Resolution—That, in the opinion of this House, recognizing the particular desirability of the protection of consumers of bereavement services from the business practices associated with corporate concentration and the desirability of fostering and encouraging the small business sector in Ontario, the Government of Ontario should introduce legislation as soon as possible to further regulate the bereavement industry to ensure the following:
  1. That a Board of Bereavement Services, composed of representatives of the public and the various sectors and sub-sectors of the bereavement services industry, be constituted to make recommendations to

the Minister of Consumer and Commercial Relations and the Minister of Health on further reforms of the regulation of bereavement services and to act as the licensing and regulating body for funeral directors, funeral service establishments, cemeterians, cemeteries, monument builders and monument building firms;

2. That the bereavement services industry be divided into three sectors, consisting of cemeteries, funeral services and monument builders and that no proprietor, partnership or corporate entity be allowed to offer services in more than one of these sectors and that any operator who currently offers services in more than one of the sectors be allowed five years to divest itself of operations in more than one sector and where one corporate entity owns more than twenty-five per cent of the shares in other corporate entities operating in more than one of the sectors, relations between such entities shall be at arm's length;
  3. That funeral service establishments may act as agents for monument building firms in rural areas where the Board of Bereavement Services establishes that a consumer need exists and where there is no monument building firm willing to establish in such rural areas;
  4. That the ownership of any proprietorship, partnership or corporate entity involved in the provision of bereavement services must be fully disclosed to the public, including the names of all shareholders in a corporate entity who hold more than ten per cent of the shares in such entity;
  5. That no funeral service facility be allowed on the grounds of, or adjoining the grounds of, a cemetery;
  6. That for the purpose of provincial business and corporate income taxation, as well as for the purpose of municipal property taxation, cemeteries be categorized as either non-profit or commercial and that those categorized as non-profit be exempt from income and property tax and those categorized as commercial be subject to income taxation and to property taxation on all lands less each grave space occupied by a deceased person;
  7. That funeral services be sold only by a licensed funeral director through a licensed funeral service establishment, cemetery services be sold only by a licensed cemeterian through a licensed cemetery and upright monument services be sold only by a licensed monument builder through a licensed monument building firm; and
  8. That there be no telephone or door-to-door solicitation of funeral, cemetery or monument services. *December 14, 1987.*
12. *Mr Runciman*—Resolution—That, in the opinion of this House, recognizing that there have been twenty-eight bank branch closures across Ontario between 1982 and 1986 which have left many small communities without adequate banking services, the Government of Ontario should review all requests for satellite banking services and establish Province of Ontario



Savings Offices in those areas where population levels demonstrate a need for them and where financial benefit can be determined. *December 15, 1987.*

13. *Mr Sterling*—Resolution—That, in the opinion of this House, recognizing the devastating and lethal impact of tobacco on the health of our citizenry, and recognizing the tobacco industry's attempt to advertise in a manner designed to undermine the health warnings of its hazardous product, the Government of Ontario should pursue every opportunity to express its support for the Federal Government's initiative, Bill C-51, the *Tobacco Products Control Act*, An Act to prohibit the advertising and promotion and respecting the labelling and monitoring of tobacco products. *December 15, 1987.*

15. *Debated April 7, 1988.*

16. *Miss Martel*—Resolution—That, in the opinion of this House, this Legislature condemns the Government of Ontario for its failure to establish the Northern Ontario Heritage Fund as outlined in the Budget of May 20, 1987 and in the Speech from the Throne of November 3, 1987 therefore this Legislature strongly urges the Government to:

- immediately establish the Northern Ontario Heritage Fund;
- ensure that Northerners, through committees representing Northern communities, labour, Native groups, women's groups and local small businesses, control the disbursement of the Fund; and
- provide substantial funding to help ensure long-term economic growth and diversification of the region. *April 5, 1988.*

17. *Mr. Kanter*—Resolution—That, in the opinion of this House, recognizing that organ transplants constitute a cost efficient medical practice that has saved lives and improved the quality of life for thousands of Ontario residents, and recognizing further that hundreds of Ontario residents wait desperately for organs that could give them a second chance at life, physicians should therefore be reminded, through their routine procedures, to consider whether a person who dies in a public hospital is a suitable organ donor and whether it is appropriate to approach the family of the deceased for consent to the transplant of any of the organs of the deceased, therefore the Government should amend the regulations under the *Public Hospitals Act* to require every public hospital to include questions similar to the following in any form required by the hospital to be completed by a physician to record the death of a patient in the hospital:

1. Has the patient been considered as an organ donor.
2. Are the wishes of the patient regarding donation of his or her organs known.
3. Are the wishes of the patient's family regarding the donation of the patient's organs known.

4. (a) Has consent for organ or tissue donation been obtained.

(b) If so, what organs or tissue have been donated. *April 5, 1988.*

18. *Debated April 7, 1988.*

19. *Mr. Swart—Resolution—That, in the opinion of this House, recognizing the need for the expansion of hospital beds and related facilities in scores of communities across the province, and given the undesirability of using the regressive property tax system for funding such construction or renovation, the Lieutenant Governor-in-Council should amend Ontario Regulation 859 under the Public Hospitals Act which now limits provincial contributions to a ceiling of two thirds (five sixths on the North)—a ceiling seldom reached—to allow the provincial contribution to be 100% of the costs. April 7, 1988.*

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## QUESTIONS

*(Questions are to appear on the day after they are tabled and on every subsequent day in the week they are tabled and then subsequently only on each Monday until an Answer (other than an Interim Answer) is tabled. A question tabled on a Thursday will appear on each day of the following week.)*

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31. *Mr Cousens*—Enquiry of the Ministry—Would the Attorney General provide a list of the requests for legal advice made by the Government of Ontario to the legal firm of Blake Cassels since May of 1985 and the resultant billings from this legal work. *December 3, 1987. Interim Answer* tabled December 14, 1987. Approximate date information available January 29, 1988.
  
49. *Answered April 5, 1988.*
  
67. *Mr Harris*—Enquiry of the Ministry—Would each Minister provide a list of those persons who have left their communications branch since June 1985, what the position was and whether that position has been filled. *December 9, 1987. Interim Answer* tabled December 29, 1987. Approximate date information available March 31, 1988.
  
68. *Mr Harris*—Enquiry of the Ministry—Would each Minister provide a list of those persons who have joined their communications branch since June 1985, what positions they have been hired for, what is the salary range for the position, was there an open or internal competition for the position and what advertising for the position took place. *December 9, 1987. Interim Answer* tabled December 29, 1987. Approximate date information available March 31, 1988.
  
69. *Mr Philip (Etobicoke-Rexdale)*—Enquiry of the Ministry—Would each Minister inform the House of the following: (1) the cost of the annual report for the last 3 fiscal years; (2) the breakdown of the component costs of the annual report such as design, layout and printing; (3) the cost of work contracted out and work done by ministry staff; (4) the number of copies printed; (5) a list of all outside contracts; (6) which contracts were tendered and supply a detailed description of the tendering process; and (7) in the case of any contract not tendered the reasons for not tendering. *December 10, 1987. Interim Answer* tabled December 22, 1987. Approximate date information available May 16, 1988.
  
70. *Mr Cousens*—Enquiry of the Ministry—Would the Minister of Government Services provide a detailed listing of all vacant provincially-owned lands under each Ministry; specifically, the location of the property, the lot size and acreage, and if available, proposed plans for the use of each site. *December 14, 1987. Interim Answer* tabled December 29, 1987. Approximate date information available March 7, 1988.

71. *Mr McLean*—Enquiry of the Ministry—Would the Minister of Government Services provide the cost for the new furniture and televisions for the

office of all Ministers and their staff, as well as all members of the Legislature since June of 1985. *December 15, 1987. Interim Answer* tabled December 29, 1987. Approximate date information available February 29, 1988.

72. *Mr McLean*—Enquiry of the Ministry—Would the Minister of Government Services provide the names and the costs of the two lowest tenders for supplying furniture and televisions for the offices of all Ministers and their staff, as well as all members of the Legislature since June of 1985 and provide the name of the one that received the contract. *December 15, 1987. Interim Answer* tabled December 29, 1987. Approximate date information available February 29, 1988.
74. *Mr Philip* (Etobicoke-Rexdale)—Enquiry of the Ministry—Would the Minister of Housing consider the request from Metro Council to the Province of Ontario that the Assessment Act be amended to exempt from taxation, property rented to churches where the church is liable for property taxes, under the terms of a lease and which had the church owned the property it would have received an exemption under the Act. Would the Minister inform the House when legislation might be introduced to correct the problem and does the Minister agree that there is discrimination under the present Assessment Act against those churches that rent property as compared to those who own property. Would the Minister also give a firm commitment that legislation will be introduced and if so, when will this legislation be introduced. *December 17, 1987.*
76. *Answered April 5, 1988.*
78. *Mr Brandt*—Enquiry of the Ministry—Would each Minister table a list of all public opinion polls which have been commissioned since June 1985, the cost of conducting the survey, the date the survey will be or was completed, and the date the survey was or will be released. *January 7, 1988. Interim Answer* tabled February 8, 1988. Approximate date information available April 15, 1988.
79. *Answered April 5, 1988.*
80. *Mr Brandt*—Enquiry of the Ministry—Would each Minister provide a list of all reports prepared for, or commissioned by, the Ministry with respect to free trade, which have yet to be released, indicating the author(s) of the reports, the dates the reports were completed, and the reasons why the reports have not been made public. *January 7, 1988. Interim Answer* tabled February 11, 1988. Approximate date information available April 15, 1988.
81. *Mr Brandt*—Enquiry of the Ministry—Would each Minister table all reports prepared for, or commissioned by, the Ministry with respect to free trade that have been withheld from the public of Ontario. *January 7, 1988. Interim Answer* tabled February 11, 1988. Approximate date information available April 15, 1988.



82. *Mr Brandt*—Enquiry of the Ministry—Would the Minister of Industry, Trade and Technology provide a list of all reports to which he referred in responding to my initial question in the Legislature on Wednesday, January 6, 1988, indicating the author(s) of the reports, the dates the reports were completed, and the reasons why the reports have not been made public. *January 7, 1988. Interim Answer* tabled February 11, 1988. Approximate date information available April 15, 1988.
85. *Mr Brandt*—Enquiry of the Ministry—Would the Minister of Industry, Trade and Technology table the reports to which he referred in responding to my initial question in the Legislature on Wednesday, January 6, 1988. *January 7, 1988. Interim Answer* tabled February 11, 1988. Approximate date information available April 15, 1988.
87. *Answered April 5, 1988.*
88. *Answered April 5, 1988.*
89. *Mr Cousens*—Enquiry of the Ministry—Would the Minister of Housing provide a breakdown, by municipality, of the number of assisted housing units available in Ontario, which of these are funded through, Federal, Provincial or Municipal programs and the dollar level of funding. *February 9, 1988.*
90. *Mr Cousens*—Enquiry of the Ministry—Would the Minister of Housing indicate how many new assisted housing units have been announced since she became Minister and how many of these will be ready for occupation by December 31, 1988. *February 9, 1988.*
91. *Mr Cousens*—Enquiry of the Ministry—Would the Minister of Housing provide a breakdown, by municipality, of the waiting list for assisted Housing in the Province. *February 9, 1988.*
92. *Mr Cousens*—Enquiry of the Ministry—Would the Minister of Housing provide an analysis of the number of individuals who will be added to the assisted housing waiting lists as a result of her announcement that low income singles and couples without children will be eligible for assisted housing. *February 9, 1988.*
- 93 and 94. *Answered April 5, 1988.*
95. *Mr Brandt*—Enquiry of the Ministry—Would the Minister of Skills Development provide the following information with respect to the publication “Skills Ontario—Training: We can all profit from it”. (1) Number of copies printed; (2) Total cost of booklets; (3) Cost per copy; (4) Distribution costs; (5) Target audience for publication. *February 10, 1988.*
96. *Answered April 5, 1988.*
97. *Mr Breaugh*—Enquiry of the Ministry—Would the Minister of Government Services list all lands owned by the provincial government and its agencies within the boundaries of Metropolitan Toronto, the Regional Municipality

of Peel, the Regional Municipality of York, and the Regional Municipality of Durham. *April 5, 1988.*

98. *Mr Rae*—Enquiry of the Ministry—Would the Minister of Health provide the following information: (1) How many paid intern positions in public teaching hospitals have been set in Ontario for 1986, 1987, 1988. (2) How many residency positions in public teaching hospitals have been set in Ontario for 1986, 1987, 1988. (3) What are the average hours worked (a) in a week; and (b) in a month by (i) residents in public teaching hospitals; (ii) interns in public teaching hospitals; (iii) registered nurses; and (iv) other staff. *April 5, 1988.*
  99. *Mr Rae*—Enquiry of the Ministry—Would the Minister of Labour provide, for the year 1987, what special permits for hours of work were issued to public teaching hospitals in Ontario under the Employment Standards Act. Please specify. Has the Ministry any estimate of average time worked by residents, interns, and nurses in Ontario's teaching hospitals. *April 5, 1988.*
  100. *Mr McLean*—Enquiry of the Ministry—Would the Minister of Tourism and Recreation explain the purpose of his recent trip to Calgary, Alberta, during the 15th Winter Olympic Games and provide the following information: the cost of the trip; how many people accompanied the Minister and who they were; the cost for limousine services; the cost for receptions held by the Minister and who they were for. *April 6, 1988.*
  101. *Mr Cooke (Windsor-Riverside)*—Enquiry of the Ministry—Would the Chairman of Management Board of Cabinet provide the House with a list of all communities in Ontario where provincial government jobs are located, the number of provincial government employees in each of these communities and which ministry of government they work for. *April 7, 1988.*
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## PRIVATE MEMBERS' BUSINESS TO BE DEBATED

*(Precedence in accordance with the Standing Order 71 (d).)*

Ballot Items Nos. 11 and 12. *Debated April 7, 1988.*

Ballot Item No. 13—*To be debated on Thursday, April 14, 1988.*

*Mr. Kanter*—Resolution—That, in the opinion of this House, recognizing that organ transplants constitute a cost efficient medical practice that has saved lives and improved the quality of life for thousands of Ontario residents, and recognizing further that hundreds of Ontario residents wait desperately for organs that could give them a second chance at life, physicians should therefore be reminded, through their routine procedures, to consider whether a person who dies in a public hospital is a suitable organ donor and whether it is appropriate to approach the family of the deceased for consent to the transplant of any of the organs of the deceased, therefore the Government should amend the regulations under the *Public Hospitals Act* to require every public hospital to include questions similar to the following in any form required by the hospital to be completed by a physician to record the death of a patient in the hospital:

1. Has the patient been considered as an organ donor.
2. Are the wishes of the patient regarding donation of his or her organs known.
3. Are the wishes of the patient's family regarding the donation of the patient's organs known.
4. (a) Has consent for organ or tissue donation been obtained.
- (b) If so, what organs or tissue have been donated.

Ballot Item No. 14—*To be debated on Thursday, April 14, 1988.*

*Miss Martel*—Resolution—That, in the opinion of this House, this Legislature condemns the Government of Ontario for its failure to establish the Northern Ontario Heritage Fund as outlined in the Budget of May 20, 1987 and in the Speech from the Throne of November 3, 1987 therefore this Legislature strongly urges the Government to:

- immediately establish the Northern Ontario Heritage Fund;
  - ensure that Northerners, through committees representing Northern communities, labour, Native groups, women's groups and local small businesses, control the disbursement of the Fund; and
  - provide substantial funding to help ensure long-term economic growth and diversification of the region.
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## BILLS REFERRED TO STANDING COMMITTEES

### STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Bill Pr1, An Act respecting Canada Christian College and School of Graduate Theological Studies. *Mr Allen.* (Referred November 18, 1987.)

Bill Pr2, An Act to revive Big Cedar Association. *Mr Owen.* (Referred February 8, 1988.)

Bill Pr4, An Act respecting The Ottawa Civil Service Recreational Association. *Mr Chiarelli.* (Referred November 16, 1987.)

Bill Pr5, An Act respecting The Chartered Institute of Marketing Management of Ontario. *Ms Hart.* (Referred February 8, 1988.)

Bill Pr7, An Act respecting the Driving School Association of Ontario. *Mr Ferraro.* (Referred November 9, 1987.)

Bill Pr10, An Act respecting the Oshawa Public Utilities Commission. *Mr Breaugh.* (Referred December 3, 1987.)

Bill Pr16, An Act respecting the City of Toronto. *Mr Kanter.* (Referred December 8, 1987.)

Bill Pr22, An Act respecting the City of Mississauga. *Mr Offer.* (Referred December 17, 1987.)

Bill Pr24, An Act respecting the Hamilton Civic Hospitals. *Ms Collins.* (Referred December 7, 1987.)

Bill Pr25, An Act respecting Kingsway General Insurance Company. *Mr Cousens.* (Referred December 9, 1987.)

Bill Pr27, An Act respecting the Ontario Municipal Management Institute. *Mr Campbell.* (Referred December 22, 1987.)

Bill Pr28, An Act to revive Mid-Continent Bond Corporation, Limited. *Mr Ray* (Windsor-Walkerville). (Referred April 6, 1988.)

Bill Pr29, An Act respecting The United Church of Canada and The Canada Conference The Evangelical United Brethren Church. *Mr Epp.* (Referred February 8, 1988.)

Bill Pr30, An Act respecting The General Hospital of Port Arthur. *Mr Kozyra.* (Referred December 3, 1987.)

Bill Pr34, An Act to revive Machin Mines Limited. *Mr Kanter.* (Referred February 9, 1988.)



Bill Pr37, An Act respecting the University of Western Ontario. *Mr Reycraft. (Referred December 22, 1987.)*

Bill Pr38, An Act to revive Prow Yellowknife Gold Mines Ltd. *Mr Kanter. (Referred February 9, 1988.)*

Bill Pr49, An Act to revive Lebon Gold Mines Limited. *Mr Kanter. (Referred February 8, 1988.)*

Bill Pr56, An Act respecting the City of Toronto. *Mr Kanter. (Referred November 30, 1987.)*

Bill Pr62, An Act respecting The Windsor Utilities Commission. *Mr Ray (Windsor-Walkerville). (Referred December 21, 1987.)*

Bill Pr67, An Act respecting the City of Hamilton. *Mr Charlton. (Referred December 3, 1987.)*

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## STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Bill 13, An Act respecting Environmental Rights in Ontario. *Mrs Grier. (Referred December 10, 1987.)*

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## STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Bill 50, An Act to provide for Community Mental Health Services. *Mr Reville. (Referred December 17, 1987.)*

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## MATTERS REFERRED TO SELECT COMMITTEES

### SELECT COMMITTEE ON EDUCATION

Consider and report on the role of the formal elementary and secondary school system in the successful transition of young students to adulthood in Ontario. *(Referred by Order of the House on February 11, 1988.)*

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### SELECT COMMITTEE ON ENERGY

Consider and report on Ontario Hydro Affairs. *(Referred by Order of the House on February 11, 1988.)*

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## SELECT COMMITTEE ON CONSTITUTIONAL REFORM

Consider and report on the 1987 Constitutional Accord (Sessional Paper No. 74), and matters related thereto. (*Referred by Order of the House on November 30, 1987.*)

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## MATTERS REFERRED TO STANDING COMMITTEES

(*In accordance with the Standing Orders, statutory annual reports of each ministry and of all agencies, boards and commissions reporting to each Minister for the immediate past reporting period stand permanently referred to the appropriate Standing Committees.*)

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## STANDING COMMITTEE ON FINANCE AND ECONOMIC AFFAIRS

Consider and report on the Canada-U.S. Free Trade Agreement (Sessional Paper Number 108). (*Referred by Order of the House on January 7, 1988.*)

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## STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Consider and report on Safety in Ontario Mines. (*Referred by Order of the House on January 7, 1988.*)

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## COMMITTEE MEETING

The Standing Committee on Finance and Economic Affairs will meet to consider the Free Trade Agreement as follows:

Thursday, 14 April	10.30 a.m.	Room No. 1
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The Standing Committee on Government Agencies will meet as follows:

Wednesday, 13 April	10.00 a.m.	Room No. 228
to review the Ontario Food Terminal Board		

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The Standing Committee on the Legislative Assembly will meet as follows:

Wednesday, 13 April	3.30 p.m.	Room No. 228
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The Standing Committee on the Ombudsman will meet as follows:

Wednesday, 13 April	10.00 a.m.	Room No. 2
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The Standing Committee on Public Accounts will meet to review the 1987 Annual Report of the Provincial Auditor as follows:

Thursday, 14 April	10.00 a.m.	Room No. 151
Section 2.2		
The Estimates Process—Maligned and Ineffective		

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The Standing Committee on Regulations and Private Bills will meet to consider Bill Pr22, An Act respecting the City of Mississauga; Bill Pr10, An Act respecting the Oshawa Public Utilities Commission; and Bill Pr62, An Act respecting The Windsor Utilities Commission as follows:

Wednesday, 13 April	10.00 a.m.	Room No. 1
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The Standing Committee on Resources Development will meet to consider accidents and fatalities in Ontario mines as follows:

Today	following Routine Proceedings	Room No. 1
Wednesday, 13 April	following Routine Proceedings	Room No. 1
Thursday, 14 April	following Routine Proceedings	Room No. 1

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The Select Committee on Constitutional Reform will meet as follows:

Wednesday, 13 April      9.30 a.m. and following R.P.      Room No. 151

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The Select Committee on Education will meet for the purpose of organization as follows:

Wednesday, 13 April      following Routine Proceedings      Room No. 2

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## ESTIMATES

### TOTAL HOURS FOR CONSIDERATION OF

ALL ESTIMATES ..... 381 hrs., 30 mins.

### IN COMMITTEE OF SUPPLY

(Estimates to be taken in order shown)

- |   |                  |
|---|------------------|
| 1. Lieutenant Governor,<br>Premier and Cabinet Office ..... | 7 hrs., 30 mins. |
| 2. Government Services .....                                | 7 hrs., 30 mins. |
| <i>(Includes supplementaries, Number 2)‡</i>                |                  |
| 3. Intergovernmental Affairs .....                          | 7 hrs., 30 mins. |
| 4. Management Board of Cabinet .....                        | 7 hrs., 30 mins. |
| 5. Revenue .....  | 7 hrs., 30 mins. |
| <i>(Includes supplementaries, Number 1)†</i>                |                  |
| 6. Francophone Affairs .....                                | 7 hrs., 30 mins. |

### IN STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

(Estimates to be taken in order shown)

- |   |  |
|---|--|
| 1. Treasury and Economics .....                   | <i>(Completed Tuesday, December 8, 1987)</i> |
| 2. Energy .....                                   | 5 hrs., 54 mins.                             |
| <i>(Includes supplementaries, Number 1)†</i>      |  |
| <i>(Adjourned at Vote 1301, Item 1)</i>           |  |
| 3. Attorney General .....                         | 7 hrs., 30 mins.                             |
| <i>(Includes supplementaries, Number 1)†</i>      |  |
| <i>(Includes supplementaries, Number 2)‡</i>      |  |
| 4. Consumer and Commercial Relations .....        | 7 hrs., 30 mins.                             |
| <i>(Includes supplementaries, Number 1)†</i>      |  |
| 5. Correctional Services .....                    | 7 hrs., 30 mins.                             |
| 6. Financial Institutions .....                   | 7 hrs., 30 mins.                             |
| 7. Office Responsible for<br>Native Affairs ..... | 7 hrs., 30 mins.                             |
| 8. Solicitor General .....                        | 7 hrs., 30 mins.                             |

†Supplementary Estimates Number 1 Tabled November 23, 1987.

‡Supplementary Estimates Number 2 Tabled February 5, 1988.

## IN STANDING COMMITTEE ON GENERAL GOVERNMENT

(Estimates to be taken in order shown)

1. Labour ..... 3 hrs., 06 mins.  
(Adjourned at Vote 2101, Item 1)
2. Northern Development ..... 7 hrs., 30 mins.
3. Office Responsible for  
Women's Issues ..... 7 hrs., 30 mins.

## IN STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

(Estimates to be taken in order shown)

1. Office of the Assembly ..... 5 hrs.  
(Includes supplementaries, Number 1)†
2. Office of the  
Chief Election Officer ..... 5 hrs.

## IN STANDING COMMITTEE ON THE OMBUDSMAN

(Estimates to be taken in order shown)

1. Office of the Ombudsman ..... 5 hrs.  
(Includes supplementaries, Number 1)†

## IN STANDING COMMITTEE ON PUBLIC ACCOUNTS

(Estimates to be taken in order shown)

1. Office of the Provincial Auditor .. (Completed Thursday, December 17, 1987)

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†Supplementary Estimates Number 1 Tabled November 23, 1987.

## IN STANDING COMMITTEE ON RESOURCES DEVELOPMENT

(Estimates to be taken in order shown)

1. Industry, Trade and Technology . *(Completed Thursday, December 10, 1987)*
2. Housing ..... *(Completed Thursday, December 17, 1987)*
3. Environment ..... 7 hrs., 30 mins.  
*(Includes supplementaries, Number 1)†*
4. Agriculture and Food ..... 7 hrs., 30 mins.  
*(Includes supplementaries, Number 1)†*
5. Mines ..... 7 hrs., 30 mins.
6. Municipal Affairs ..... 7 hrs., 30 mins.  
*(Includes supplementaries, Number 1)†*  
*(Includes supplementaries, Number 2)‡*
7. Natural Resources ..... 7 hrs., 30 mins.  
*(Includes supplementaries, Number 1)†*
8. Tourism and Recreation ..... 7 hrs., 30 mins.
9. Transportation ..... 7 hrs., 30 mins.  
*(Includes supplementaries, Number 1)†*
10. Industry, Trade and Technology ..... —  
*(Supplementaries only, Number 2)‡*
11. Housing ..... —  
*(Supplementaries only, Number 2)‡*

†Supplementary Estimates Number 1 Tabled November 23, 1987.

‡Supplementary Estimates Number 2 Tabled February 5, 1988.

## IN STANDING COMMITTEE ON SOCIAL DEVELOPMENT

(Estimates to be taken in order shown)

1. Skills Development ..... (*Completed Thursday, December 10, 1987*)
2. Office for Disabled Persons ..... (*Completed Thursday, December 17, 1987*)
3. Education ..... 7 hrs., 30 mins.  
(*Includes supplementaries, Number 2*)‡
4. Office Responsible for  
Senior Citizens' Affairs ..... 7 hrs., 30 mins.
5. Citizenship ..... 7 hrs., 30 mins.
6. Colleges and Universities ..... 7 hrs., 30 mins.  
(*Includes supplementaries, Number 1*)†
7. Community and Social Services ..... 7 hrs., 30 mins.  
(*Includes supplementaries, Number 1*)†  
(*Includes supplementaries, Number 2*)‡
8. Culture and Communications ..... 7 hrs., 30 mins.
9. Health ..... 7 hrs., 30 mins.  
(*Includes supplementaries, Number 1*)†  
(*Includes supplementaries, Number 2*)‡
10. Skills Development ..... —  
(*Supplementaries only, Number 1*)†
11. Office for Disabled Persons ..... —  
(*Supplementaries only, Number 1*)†

†Supplementary Estimates Number 1 Tabled November 23, 1987.

‡Supplementary Estimates Number 2 Tabled February 5, 1988.







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# Orders and Notices

Legislative Assembly  
of the Province of Ontario



**1st Session, 34th Parliament**  
Tuesday, April 12, 1988

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## GOVERNMENT BILLS AND ORDERS

1. *Second Reading* Bill 4, An Act to amend the Metropolitan Toronto Police Force Complaints Act, 1984. *Mr Scott.* **PRINTED.**
2. *Second Reading* Bill 5, An Act to amend the Proceedings Against the Crown Act. *Mr Scott.* **PRINTED.**
3. *Second Reading* Bill 6, An Act to amend the Execution Act. *Mr Scott.* **PRINTED.**
4. *Second Reading* Bill 7, An Act to implement the Model Law on International Commercial Arbitration adopted by the United Nations Commission on International Trade Law. *Mr Scott.* **PRINTED.**

*Deuxième lecture* Projet de loi 7, Loi portant mise en application de la Loi type sur l'arbitrage commercial international adoptée par la Commission des Nations Unies pour le droit commercial international. *M. Scott.* **IMPRIMÉ.**

5. *Second Reading* Bill 9, An Act permitting Trustees and other Persons to dispose of South African investments. *Mr Scott.* **PRINTED.**

*Deuxième lecture* Projet de loi 9, Loi permettant aux fiduciaires et à d'autres personnes d'aliéner les placements sud-africains. *M. Scott.* **IMPRIMÉ.**

6. *Second Reading* Bill 15, An Act to amend the Barristers Act. *Mr Scott.* **PRINTED.**
7. *Second Reading* Bill 22, An Act to regulate Motor Vehicle Repairs. *Mr Wrye.* **PRINTED.**
8. *Second Reading* Bill 26, An Act to regulate Prepaid Services. *Mr Wrye.* **PRINTED.**
9. *Second Reading* Bill 27, An Act respecting Prearranged and Prepaid Funerals. *Mr Wrye.* **PRINTED.**
10. *Second Reading* Bill 28, An Act to amend the Funeral Services Act. *Mrs Caplan.* **PRINTED.**
11. *Second Reading* Bill 52, An Act to amend the Consumer Reporting Act. *Mr Wrye.* **PRINTED.**
12. *Second Reading* Bill 59, An Act to amend the Municipal Act and certain other Acts related to municipalities. *Mr Eakins.* **PRINTED.**
13. *Second Reading* Bill 66, An Act respecting Agricultural and Horticultural Organizations. *Mr Riddell.* **PRINTED.\***

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\*Lieutenant Governor's Recommendation received.



14. *Second Reading* Bill 68, An Act to promote the Conservation of Certain Land. *Mr Kerrio.* **PRINTED.**
15. *Second Reading* Bill 69, An Act to amend the Education Act. *Mr Ward.* **PRINTED.**
16. *Second Reading* Bill 70, An Act to amend the Education Act. *Mr Ward.* **PRINTED.**
17. *Second Reading* Bill 76, An Act to amend the Education Act and certain other Acts related to Education. *Mr Ward.* **PRINTED.**
18. *Second Reading* Bill 78, An Act respecting the Sale of Farm Implements. *Mr Riddell.* **PRINTED.**
19. *Second Reading* Bill 82, An Act respecting Energy Efficiency. *Mr Wong.* **PRINTED.**
20. *Second Reading* Bill 83, An Act respecting the Protection of Farm Practices. *Mr Riddell.* **PRINTED.**
21. *Second Reading* Bill 84, An Act to amend the Corporations Tax Act. *Mr Grandmaître.* **PRINTED.\***
22. *Second Reading* Bill 85, An Act to amend the Mining Tax Act. *Mr Grandmaître.* **PRINTED.\***
23. *Second Reading* Bill 86, An Act to amend the Highway Traffic Act. *Mr Fulton.* **PRINTED.**
24. *Second Reading* Bill 87, An Act to amend the Ontario Highway Transport Board Act. *Mr Fulton.* **PRINTED.**
25. *Second Reading* Bill 88, An Act to regulate Truck Transportation. *Mr Fulton.* **PRINTED.**
26. *Second Reading* Bill 90, An Act respecting the United Nations Convention on Contracts for the International Sale of Goods. *Mr Scott.* **PRINTED.**

*Deuxième lecture* Projet de loi 90, Loi concernant la Convention des Nations Unies sur les contrats de vente internationale de marchandises. *M. Scott.* **IMPRIMÉ.**

27. *Second Reading* Bill 93, An Act to revise the Justices of the Peace Act. *Mr Scott.* **PRINTED.**

*Deuxième lecture* Projet de loi 93, Loi portant révision de la Loi sur les juges de paix. *M. Scott.* **IMPRIMÉ.**

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\*Lieutenant Governor's Recommendation received.

28. *Second Reading* Bill 98, An Act to amend the Public Transportation and Highway Improvement Act. *Mr Fulton.* **PRINTED.**
  29. *Second Reading* Bill 99, An Act to amend the Ministry of Transportation and Communications Act. *Mr Fulton.* **PRINTED.**
  30. *Second Reading* Bill 100, An Act to amend the Education Act. *Mr Ward.* **PRINTED.**
  31. *Second Reading* Bill 101, An Act to repeal the Ministry of Transportation and Communications Creditors Payment Act. *Mr Fulton.* **PRINTED.**
  32. *Second Reading* Bill 102, An Act to amend the Construction Lien Act, 1983. *Mr Fulton.* **PRINTED.**
  33. *Second Reading* Bill 106, An Act to amend the Municipal Elections Act and the Municipal Act. *Mr Eakins.* **PRINTED.**
  34. *Second Reading* Bill 107, An Act to amend the Child and Family Services Act, 1984. *Mr Sweeney.* **PRINTED.**
  35. *Second Reading* Bill 108, An Act to amend the Rental Housing Protection Act, 1986. *Ms Hošek.* **PRINTED.**
  36. *Second Reading* Bill 109, An Act to Establish a French-language School Board for The Regional Municipality of Ottawa-Carleton. *Mr Ward.*  
  
*Deuxième lecture* Projet de loi 109, Loi portant création d'un Conseil scolaire de langue française pour la municipalité régionale d'Ottawa-Carleton. *M. Ward.*
  37. *Resuming the Adjourned Debate* on the Motion for Interim Supply for the period commencing April 16, 1988, and ending June 30, 1988.
  38. *Concurrence in Supply* for the Ministry of Treasury and Economics.
  39. *Concurrence in Supply* for the Ministry of Skills Development.
  40. *Concurrence in Supply* for the Ministry of Industry, Trade and Technology.
  41. *Concurrence in Supply* for the Office of the Provincial Auditor.
  42. *Concurrence in Supply* for the Office for Disabled Persons.
  43. *Concurrence in Supply* for the Ministry of Housing.
  44. *House in Committee of Supply.*
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## PRIVATE MEMBERS' PUBLIC BILLS AND ORDERS

45. *Committee of the Whole House:*

Bill 24, An Act to establish a Tourism Advisory Board. *Mr McLean.* **PRINTED.**

Bill 75, An Act to establish the Municipal Council Retirement Fund and to provide Retirement Allowances to Municipal Councillors. *Mr Cureatz.* **PRINTED.**

46. *Second Reading* Bill 3, An Act to protect the Public Health and Comfort and the Environment by Prohibiting and Controlling Smoking in Public Places. *Mr Sterling.* **PRINTED.**

47. *Second Reading* Bill 8, An Act to amend the Representation Act, 1986. *Mr Villeneuve.* **PRINTED.**

48. *Second Reading* Bill 10, An Act to amend the Election Act, 1984. *Mr Cousens.* **PRINTED.**

49. *Second Reading* Bill 12, An Act to ban Sunday racing and intertrack wagering at Greenwood Raceway and to change the composition and procedures of the Ontario Racing Commission. *Ms Bryden.* **PRINTED.**

50. *Second Reading* Bill 14, An Act to protect and enhance the Quality of Drinking Water in Ontario. *Mrs Grier.* **PRINTED.**

51. *Second Reading* Bill 16, An Act to encourage the Rehabilitation of Water Delivery Systems in Ontario. *Mrs Marland.* **PRINTED.**

52. *Second Reading* Bill 17, An Act to amend the Planning Act, 1983. *Mr Johnston (Scarborough West).* **PRINTED.**

53. *Second Reading* Bill 18, An Act to provide for the Conversion of Technologies and Skills used in the Nuclear Weapons Industry to Civilian Use. *Mr Johnston (Scarborough West).* **PRINTED.**

54. *Second Reading* Bill 23, An Act to proclaim 1995 as the 150th Anniversary of the arrival of Irish Immigrants in Canada. *Mr Pollock.* **PRINTED.**

55. *Second Reading* Bill 30, An Act to amend the Pension Benefits Act. *Mr Mackenzie.* **PRINTED.**

56. *Second Reading* Bill 31, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**

57. *Second Reading* Bill 32, An Act to provide for the Employment of Disabled Persons. *Mr Mackenzie.* **PRINTED.**

58. *Second Reading* Bill 33, An Act to amend the Education Act. *Mr Mackenzie.* **PRINTED.**

59. *Second Reading* Bill 34, An Act to amend the Employment Standards Act.  
*Mr Mackenzie. PRINTED.*
60. *Second Reading* Bill 35, An Act to amend the Public Vehicles Act. *Mr Mackenzie. PRINTED.*
61. *Second Reading* Bill 36, An Act to provide Political Rights for Public Servants. *Mr Mackenzie. PRINTED.*
62. *Second Reading* Bill 37, An Act to amend the Labour Relations Act. *Mr Mackenzie. PRINTED.*
63. *Second Reading* Bill 38, An Act to amend the Labour Relations Act. *Mr Mackenzie. PRINTED.*
64. *Second Reading* Bill 39, An Act to amend the Labour Relations Act. *Mr Mackenzie. PRINTED.*
65. *Second Reading* Bill 40, An Act to amend the Labour Relations Act. *Mr Mackenzie. PRINTED.*
66. *Second Reading* Bill 41, An Act to amend the Employment Standards Act.  
*Mr Mackenzie. PRINTED.*
67. *Second Reading* Bill 42, An Act to amend the Employment Standards Act.  
*Mr Mackenzie. PRINTED.*
68. *Second Reading* Bill 43, An Act to amend the Employment Standards Act.  
*Mr Mackenzie. PRINTED.*
69. *Second Reading* Bill 44, An Act to amend the Employment Standards Act.  
*Mr Mackenzie. PRINTED.*
70. *Second Reading* Bill 45, An Act to amend the Children's Law Reform Act.  
*Mr Cousens. PRINTED.*
71. *Second Reading* Bill 47, An Act to amend the Highway Traffic Act. *Mrs Grier. PRINTED.*
72. *Second Reading* Bill 48, An Act to amend the Police Act. *Mr Eves. PRINTED.*
73. *Second Reading* Bill 49, An Act to relieve Persons from Liability in respect of voluntary Emergency Medical and First Aid Services. *Mr Haggerty. PRINTED.*
74. *Second Reading* Bill 53, An Act to provide for the Safety and Welfare of Crown Witnesses in Certain Criminal Proceedings. *Mr Runciman. PRINTED.*
75. *Second Reading* Bill 57, An Act to amend the Energy Act. *Mr Wildman. PRINTED.*



76. *Second Reading* Bill 60, An Act respecting the Sale of Farm Machinery and Equipment in Ontario. *Mr Wildman.* **PRINTED.**
77. *Second Reading* Bill 62, An Act to amend the Health Protection and Promotion Act, 1983. *Mr Henderson.* **PRINTED.**
78. *Second Reading* Bill 63, An Act to amend the Laboratory and Specimen Collection Centre Licensing Act. *Mr Henderson.* **PRINTED.**
79. *Second Reading* Bill 64, An Act to amend the Health Insurance Act. *Mr Henderson.* **PRINTED.**
80. *Second Reading* Bill 67, An Act to establish the East/Central Ontario Recreational Trails Commission. *Mr Pollock.* **PRINTED.**
81. *Second Reading* Bill 71, An Act to amend the Occupational Health and Safety Act. *Mr Rae (York South).* **PRINTED.**
82. *Second Reading* Bill 72, An Act respecting Simcoe Day. *Mr McLean.* **PRINTED.**
83. *Second Reading* Bill 73, An Act to amend the Public Service Superannuation Act. *Mr McLean.* **PRINTED.**
84. *Second Reading* Bill 74, An Act to amend the Legislative Assembly Retirement Allowances Act. *Mr McLean.* **PRINTED.**
85. *Second Reading* Bill 89, An Act requiring municipalities to establish Programs for the Recycling of Garbage. *Mrs Marland.* **PRINTED.**
86. *Second Reading* Bill 91, An Act to amend the Election Act. *Mr Sterling.* **PRINTED.**
87. *Second Reading* Bill 92, An Act to prevent unjust enrichment through the Financial Exploitation of Crime. *Mr Wildman.* **PRINTED.**
88. *Second Reading* Bill 94, An Act to prohibit Discrimination by Municipalities against Unrelated Persons Occupying Residential Property. *Mr Jackson.* **PRINTED.**
89. *Second Reading* Bill 95, An Act to amend the Children's Law Reform Act. *Mr Henderson.* **PRINTED.**
90. *Second Reading* Bill 96, An Act to amend the Highway Traffic Act. *Mr Wildman.* **PRINTED.**
91. *Second Reading* Bill 97, An Act to amend Human Rights Code, 1981. *Mr Reville.* **PRINTED.**
92. *Second Reading* Bill 103, An Act respecting Living Wills. *Mr Cureatz.* **PRINTED.**

93. *Second Reading* Bill 104, An Act to amend the Courts of Justice Act, 1984.  
*Mr Cureatz.* **PRINTED.**
94. *Second Reading* Bill 105, An Act to amend the Legislative Assembly Act.  
*Mr Cureatz.* **PRINTED.**
95. *Second Reading* Bill 110, An Act to declare Remembrance Day as a Holiday  
for Veterans. *Mr Henderson.*
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## NOTICES

### GOVERNMENT MOTIONS

6. *Mr. Peterson*—Resolution—WHEREAS the *Constitution Act, 1982* came into force on April 17, 1982, following an agreement between Canada and all the provinces except Quebec;

AND WHEREAS the Government of Quebec has established a set of five proposals for constitutional change and has stated that amendments to give effect to those proposals would enable Quebec to resume a full role in the constitutional councils of Canada;

AND WHEREAS the amendment proposed in the schedule hereto sets out the basis on which Quebec's five constitutional proposals may be met;

AND WHEREAS the amendment proposed in the schedule hereto also recognizes the principle of the equality of all the provinces, provides new arrangements to foster greater harmony and cooperation between the Government of Canada and the governments of the provinces and requires that conferences be convened to consider important constitutional, economic and other issues;

AND WHEREAS certain portions of the amendment proposed in the schedule hereto relate to matters referred to in section 41 of the *Constitution Act, 1982*;

AND WHEREAS section 41 of the *Constitution Act, 1982* provides that an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and the House of Commons and of the legislative assembly of each province;

NOW THEREFORE the Legislative Assembly of Ontario resolves that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by Her Excellency the Governor General under the Great Seal of Canada in accordance with the schedule hereto.

### SCHEDULE

#### CONSTITUTION AMENDMENT, 1987

##### *Constitution Act, 1867*

1. The *Constitution Act, 1867* is amended by adding thereto, immediately after section 1 thereof, the following section:

Interpre-  
tation

“2. (1) The Constitution of Canada shall be interpreted in a manner consistent with

(a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present elsewhere

in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada; and

(b) the recognition that Quebec constitutes within Canada a distinct society.

Role of  
Parliament  
and  
legislatures

(2) The role of the Parliament of Canada and the provincial legislatures to preserve the fundamental characteristic of Canada referred to in paragraph (1)(a) is affirmed.

Role of  
legislature  
and  
Government  
of Quebec

(3) The role of the legislature and Government of Quebec to preserve and promote the distinct identity of Quebec referred to in paragraph (1)(b) is affirmed.

Rights of  
legislatures  
and  
governments  
preserved

(4) Nothing in this section derogates from the powers, rights or privileges of Parliament or the Government of Canada, or of the legislatures or governments of the provinces, including any powers, rights or privileges relating to language.”

2. The said Act is further amended by adding thereto, immediately after section 24 thereof, the following section:

Names to be  
submitted

“25. (1) Where a vacancy occurs in the Senate, the Government of the province to which the vacancy relates may, in relation to that vacancy, submit to the Queen’s Privy Council for Canada the names of persons who may be summoned to the Senate.

Choice of  
Senators  
from names  
submitted

(2) Until an amendment to the Constitution of Canada is made in relation to the Senate pursuant to section 41 of the *Constitution Act, 1982*, the person summoned to fill a vacancy in the Senate shall be chosen from among persons whose names have been submitted under subsection (1) by the government of the province to which the vacancy relates and must be acceptable to the Queen’s Privy Council for Canada.”

3. The said Act is further amended by adding thereto, immediately after section 95 thereof, the following heading and sections:

#### *“Agreements on Immigration and Aliens*

Commitment  
to negotiate

95A. The Government of Canada shall, at the request of the government of any province, negotiate with the government of that province for the purpose of concluding an agreement relating to immigration or the temporary admission of aliens into that province that is appropriate to the needs and circumstances of that province.



## Agreements

**95B.** (1) Any agreement concluded between Canada and a province in relation to immigration or the temporary admission of aliens into that province has the force of law from the time it is declared to do so in accordance with subsection 95C(1) and shall from that time have effect notwithstanding class 25 of section 91 or section 95.

## Limitation

(2) An agreement that has the force of law under subsection (1) shall have effect only so long and so far as it is not repugnant to any provision of an Act of the Parliament of Canada that sets national standards and objectives relating to immigration or aliens, including any provision that establishes general classes of immigrants or relates to levels of immigration for Canada or that prescribes classes of individuals who are inadmissible into Canada.

## Application of Charter

(3) The *Canadian Charter of Rights and Freedoms* applies in respect of any agreement that has the force of law under subsection (1) and in respect of anything done by the Parliament or Government of Canada, or the legislature or government of a province, pursuant to any such agreement.

## Proclamation relating to agreements

**95C.** (1) A declaration that an agreement referred to in subsection 95B(1) has the force of law may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement.

## Amendment of agreements

(2) An amendment to an agreement referred to in subsection 95B(1) may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized

(a) by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement; or

(b) in such other manner as is set out in the agreement.

Application of sections 46 to 48 of *Constitution Act, 1982*

**95D.** Sections 46 to 48 of the *Constitution Act, 1982* apply, with such modifications as the circumstances require, in respect of any declaration made pursuant to subsection 95C(1), any amendment to an agreement made pursuant to subsection 95C(2) or any amendment made pursuant to section 95E.

## Amendments to sections 95A to 95D or this section

**95E.** An amendment to sections 95A to 95D or this section may be made in accordance with the procedure set out in subsection 38(1) of the *Constitution Act, 1982*, but only if the amendment is authorized by resolutions of the legislative assemblies of all the provinces that are, at the time of the

amendment, parties to an agreement that has the force of law under subsection 95B(1).”

4. The said Act is further amended by adding thereto, immediately preceding section 96 thereof, the following heading:

*“General”*

5. The said Act is further amended by adding thereto, immediately preceding section 101 thereof, the following heading:

*“Courts Established by the Parliament of Canada”*

6. The said Act is further amended by adding thereto, immediately after section 101 thereof, the following heading and sections:

*“Supreme Court of Canada*

Supreme  
Court  
continued

**101A.** (1) The court existing under the name of the Supreme Court of Canada is hereby continued as the general court of appeal for Canada, and as an additional court for the better administration of the laws of Canada, and shall continue to be a superior court of record.

Constitution  
of court

(2) The Supreme Court of Canada shall consist of a chief justice to be called the Chief Justice of Canada and eight other judges, who shall be appointed by the Governor General in Council by letters patent under the Great Seal.

Who may be  
appointed  
judges

**101B.** (1) Any person may be appointed a judge of the Supreme Court of Canada who, after having been admitted to the bar of any province or territory, has, for a total of at least ten years, been a judge of any court in Canada or a member of the bar of any province or territory.

Three judges  
from Quebec

(2) At least three judges of the Supreme Court of Canada shall be appointed from among persons who, after having been admitted to the bar of Quebec, have, for a total of at least ten years, been judges of any court of Quebec or of any court established by the Parliament of Canada, or members of the bar of Quebec.

Names may  
be submitted

**101C.** (1) Where a vacancy occurs in the Supreme Court of Canada, the government of each province may, in relation to that vacancy, submit to the Minister of Justice of Canada the names of any of the persons who have been admitted to the bar of that province and are qualified under section 101B for appointment to that court.

Appointment  
from names  
submitted

(2) Where an appointment is made to the Supreme Court of Canada, the Governor General in Council shall, except

where the Chief Justice is appointed from among members of the Court, appoint a person whose name has been submitted under subsection (1) and who is acceptable to the Queen's Privy Council for Canada.

Appointment  
from Quebec

(3) Where an appointment is made in accordance with subsection (2) of any of the three judges necessary to meet the requirement set out in subsection 101B(2), the Governor General in Council shall appoint a person whose name has been submitted by the Government of Quebec.

Appointment  
from other  
provinces

(4) Where an appointment is made in accordance with subsection (2) otherwise than as required under subsection (3), the Governor General in Council shall appoint a person whose name has been submitted by the government of a province other than Quebec.

Tenure,  
salaries, etc.  
of judges

**101D.** Sections 99 and 100 apply in respect of the judges of the Supreme Court of Canada.

Relationship  
to section 101

**101E.** (1) Sections 101A to 101D shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws under section 101 except to the extent that such laws are inconsistent with those sections.

References  
to the  
Supreme  
Court of  
Canada

(2) For greater certainty, section 101A shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws relating to the reference of questions of law or fact, or any other matters, to the Supreme Court of Canada."

7. The said Act is further amended by adding thereto, immediately after section 106 thereof, the following section:

Shared-cost  
program

**"106A.** (1) The Government of Canada shall provide reasonable compensation to the government of a province that chooses not to participate in a national shared-cost program that is established by the Government of Canada after the coming into force of this section in an area of exclusive provincial jurisdiction, if the province carries on a program or initiative that is compatible with the national objectives.

Legislative  
power not  
extended

(2) Nothing in this section extends the legislative powers of the Parliament of Canada or of the legislatures of the provinces."

8. The said Act is further amended by adding thereto the following heading and sections:

“XII — CONFERENCES ON THE ECONOMY AND OTHER  
MATTERS

Conferences  
on the  
economy and  
other matters

**148.** A conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year to discuss the state of Canadian economy and such other matters as may be appropriate.

XIII — REFERENCES

Reference  
includes  
amendments

**149.** A reference to this Act shall be deemed to include a reference to any amendments thereto.”

*Constitution Act, 1982*

**9.** Sections 40 to 42 of the *Constitution Act, 1982* are repealed and the following substituted therefor:

Compensation

“**40.** Where an amendment is made under subsection 38(1) that transfers legislative powers from provincial legislatures to Parliament, Canada shall provide reasonable compensation to any province to which the amendment does not apply.

Amendment  
by  
unanimous  
consent

**41.** An amendment to the Constitution of Canada in relation to the following matters may be made by proclamation issued by the Governor General under the Great Seal of Canada only where authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province:

(a) the office of the Queen, the Governor General and the Lieutenant Governor of a province;

(b) the powers of the Senate and the method of selecting Senators;

(c) the number of members by which a province is entitled to be represented in the Senate and the residence qualifications of Senators;

(d) the right of a province to a number of members in the House of Commons not less than the number of Senators by which the province was entitled to be represented on April 17, 1982;

(e) the principle of proportionate representation of the provinces in the House of Commons prescribed by the Constitution of Canada;

(f) subject to section 43, the use of the English or the French language;



(g) the Supreme Court of Canada;

(h) the extension of existing provinces into the territories;

(i) notwithstanding any other law or practice, the establishment of new provinces; and

(j) an amendment to this Part.”

**10.** Section 44 of the said Act is repealed and the following substituted therefor:

Amendments  
by  
Parliament

“**44.** Subject to section 41, Parliament may exclusively make laws amending the Constitution of Canada in relation to the executive government of Canada or the Senate and House of Commons.”

**11.** Subsection 46(1) of the said Act is repealed and the following substituted therefor:

Initiation of  
amendment  
procedures

“**46.** (1) The procedures for amendment under sections 38, 41 and 43 may be initiated either by the Senate or the House of Commons or by the legislative assembly of a province.”

**12.** Subsection 47(1) of the said Act is repealed and the following substituted therefor:

Amendments  
without  
Senate  
resolution

“**47.** (1) An amendment to the Constitution of Canada made by proclamation under section 38, 41 or 43 may be made without a resolution of the Senate authorizing the issue of the proclamation if, within one hundred and eighty days after the adoption by the House of Commons of a resolution authorizing its issue, the Senate has not adopted such a resolution and if, at any time after the expiration of that period, the House of Commons again adopts the resolution.”

**13.** Part VI of the said Act is repealed and the following substituted therefor:

#### “PART VI

#### CONSTITUTIONAL CONFERENCES

Constitu-  
tional  
conference

**50.** (1) A constitutional conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year, commencing in 1988.

Agenda

(2) The conferences convened under subsection (1) shall have included on their agenda the following matters:

(a) Senate reform, including the role and functions of the Senate, its powers, the method of selecting Senators and representation in the Senate;

(b) roles and responsibilities in relation to fisheries; and

(c) such other matters as are agreed upon.”

14. Subsection 52(2) of the said Act is amended by striking out the word “and” at the end of paragraph (b) thereof, by adding the word “and” at the end of paragraph (c) thereof and by adding thereto the following paragraph:

“(d) any other amendment to the Constitution of Canada.”

15. Section 61 of the said Act is repealed and the following substituted therefor:

References

“61. A reference to the *Constitution Act, 1982*, or a reference to the *Constitution Acts 1867 to 1982*, shall be deemed to include a reference to any amendments thereto.”

*General*

Multicultural  
heritage and  
aboriginal  
people

16. Nothing in section 2 of the *Constitution Act, 1867* affects section 25 or 27 of the *Canadian Charter of Rights and Freedoms*, section 35 of the *Constitution Act, 1982* or class 24 of section 91 of the *Constitution Act, 1867*.

CITATION

Citation

17. This amendment may be cited as the *Constitution Amendment, 1987. November 24, 1987*.

M. Peterson—Résolution—

Attendu :

que la *Loi constitutionnelle de 1982* est entrée en vigueur le 17 avril 1982, à la suite d'un accord conclu entre le Canada et toutes les provinces, sauf le Québec;

que, selon le gouvernement du Québec, l'adoption de modifications visant à donner effet à ses cinq propositions de révision constitutionnelle permettrait au Québec de jouer pleinement de nouveau son rôle dans les instances constitutionnelles canadiennes;

que le projet de modification figurant en annexe présente les modalités d'un règlement relatif aux cinq propositions du Québec;

que le projet reconnaît le principe de l'égalité de toutes les provinces et prévoit, d'une part, de nouveaux arrangements propres à renforcer l'harmonie et la coopération entre le gouvernement du Canada et ceux des provinces, d'autre part la tenue de conférences consacrées à l'étude d'importantes questions constitutionnelles, économiques et autres;

que le projet porte en partie sur des questions visées à l'article 41 de la *Loi constitutionnelle de 1982*;

que cet article prévoit que la Constitution du Canada peut être modifiée par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de chaque province,

l'Assemblée législative de l'Ontario a résolu d'autoriser la modification de la Constitution du Canada par proclamation de Son Excellence le gouverneur général sous le grand sceau du Canada, en conformité avec l'annexe ci-jointe.

## ANNEXE

### MODIFICATION CONSTITUTIONNELLE DE 1987

#### *Loi constitutionnelle de 1867*

1. La *Loi constitutionnelle de 1867* est modifiée par insertion, après l'article 1, de ce qui suit:

Règle  
interprétative

«2. (1) Toute interprétation de la Constitution du Canada doit concorder avec :

a) la reconnaissance de ce que l'existence de Canadiens d'expression française, concentrés au Québec mais présents aussi dans le reste du pays, et de Canadiens d'expression anglaise, concentrés dans le reste du pays mais aussi présents au Québec, constitue une caractéristique fondamentale du Canada;

b) la reconnaissance de ce que le Québec forme au sein du Canada une société distincte.

Rôle du  
Parlement et  
des  
législatures

(2) Le Parlement du Canada et les législatures des provinces ont le rôle de protéger la caractéristique fondamentale du Canada visée à l'alinéa (1) a).

Rôle de la  
législature et  
du gouverne-  
ment du  
Québec

(3) La législature et le gouvernement du Québec ont le rôle de protéger et de promouvoir le caractère distinct du Québec visé à l'alinéa (1) b).

Maintien des  
droits des  
législatures et  
gouverne-  
ments

(4) Le présent article n'a pas pour effet de déroger aux pouvoirs, droits ou privilèges du Parlement ou du gouvernement du Canada, ou des législatures ou des gouvernements des provinces, y compris à leurs pouvoirs, droits ou privilèges en matière de langue.»

2. La même loi est modifiée par insertion, après l'article 24, de ce qui suit :

Propositions

«25. (1) En cas de vacance au Sénat, le gouvernement de la province à représenter peut proposer au Conseil privé de la Reine pour le Canada des personnes susceptibles d'être nommées au siège vacant.

Choix des  
sénateurs

(2) Jusqu'à la modification, faite conformément à l'article 41 de la *Loi constitutionnelle de 1982*, de toute disposition de la Constitution du Canada relative au Sénat, les personnes nommées aux sièges vacants au Sénat sont choisies parmi celles qui ont été proposées par le gouvernement de la province à représenter et agréées par le Conseil privé de la Reine pour le Canada.»

3. La même loi est modifiée par insertion, après l'article 95, de ce qui suit :

*«Accords relatifs à l'immigration et aux aubains*

Engagement

95A. Sur demande du gouvernement d'une province, le gouvernement du Canada négocie avec lui en vue de conclure, en matière d'immigration ou d'admission temporaire des aubains dans la province, un accord adapté aux besoins et à la situation particulière de celle-ci.

Accords

95B. (1) Tout accord conclu entre le Canada et une province en matière d'immigration ou d'admission temporaire des aubains dans la province a, une fois faite la déclaration visée au paragraphe 95C(1), force de loi et a dès lors effet indépendamment tant du point 25 de l'article 91 que de l'article 95.



## Restriction

(2) L'accord ayant ainsi force de loi n'a d'effet que dans la mesure de sa compatibilité avec les dispositions des lois du Parlement du Canada qui fixent des normes et objectifs nationaux relatifs à l'immigration et aux aubains, notamment en ce qui concerne l'établissement des catégories générales d'immigrants, les niveaux d'immigration au Canada et la détermination des catégories de personnes inadmissibles au Canada.

Application  
de la Charte

(3) La *Charte canadienne des droits et libertés* s'applique aux accords ayant ainsi force de loi et à toute mesure prise sous leur régime par le Parlement ou le gouvernement du Canada ou par la législature ou le gouvernement d'une province.

Proclamation  
relative aux  
accords

**95C.** (1) La déclaration portant qu'un accord visé au paragraphe 95B(1) a force de loi se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord.

Modification  
des accords

(2) La modification d'un accord visé au paragraphe 95B(1) se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée :

a) soit par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord;

b) soit selon les modalités prévues dans l'accord même.

Application  
des articles  
46 à 48 de la  
*Loi constitutionnelle de 1982*

**95D.** Les articles 46 à 48 de la *Loi constitutionnelle de 1982* s'appliquent, avec les adaptations nécessaires, à toute déclaration faite aux termes du paragraphe 95C(1), à toute modification d'un accord faite aux termes du paragraphe 95C(2) ou à toute modification faite aux termes de l'article 95E.

Modification  
des articles  
95A à 95D ou  
du présent  
article

**95E.** Les articles 95A à 95D ou le présent article peuvent être modifiés conformément au paragraphe 38(1) de la *Loi constitutionnelle de 1982*, à condition que la modification soit autorisée par des résolutions des assemblées législatives de toutes les provinces qui sont, à l'époque de celle-ci, parties à un accord ayant force de loi aux termes du paragraphe 95B(1).»

4. La même loi est modifiée par insertion, avant l'article 96, de ce qui suit :

## «Dispositions générales»

5. La même loi est modifiée par insertion, avant l'article 101, de ce qui suit :

*«Tribunaux créés par le Parlement du Canada»*

**6.** La même loi est modifiée par insertion, après l'article 101, de ce qui suit :

*«Cour suprême du Canada*

Maintien de  
la Cour  
suprême  
du Canada

**101A.** (1) La cour qui existe sous le nom de Cour suprême du Canada est maintenue à titre de cour générale d'appel pour le Canada et de cour additionnelle propre à améliorer l'application des lois du Canada. Elle conserve ses attributions de cour supérieure d'archives.

Composition

(2) La Cour suprême du Canada se compose du juge en chef, appelé juge en chef du Canada, et de huit autres juges, que nomme le gouverneur général en conseil par lettres patentes sous le grand sceau.

Conditions  
de  
nomination

**101B.** (1) Les juges sont choisis parmi les personnes qui, après avoir été admises au barreau d'une province ou d'un territoire, ont, pendant au moins dix ans au total, été juges de n'importe quel tribunal du pays ou inscrites au barreau de n'importe quelle province ou de n'importe quel territoire.

Québec :  
trois juges

(2) Au moins trois des juges sont choisis parmi les personnes qui, après avoir été admises au barreau du Québec, ont, pendant au moins dix ans au total, été inscrites à ce barreau ou juges d'un tribunal du Québec ou d'un tribunal créé par le Parlement du Canada.

Propositions  
de  
nomination

**101C.** (1) En cas de vacance à la Cour suprême du Canada, le gouvernement de chaque province peut proposer au ministre fédéral de la Justice, pour la charge devenue vacante, des personnes admises au barreau de cette province et remplissant les conditions visées à l'article 101B.

Nomination  
parmi les  
personnes  
proposées

(2) Le gouverneur général en conseil procède aux nominations parmi les personnes proposées et qui agrément au Conseil privé de la Reine pour le Canada; le présent paragraphe ne s'applique pas à la nomination du juge en chef dans les cas où il est choisi parmi les juges de la Cour suprême du Canada.

Nomination  
parmi les  
personnes  
proposées  
par le  
Québec

(3) Dans le cas de chacune de trois nominations à faire conformément au paragraphe 101B(2), le gouverneur général en conseil nomme une personne proposée par le gouvernement du Québec.

Nomination  
parmi les  
personnes  
proposées  
par les autres  
provinces

(4) Dans le cas de toute autre nomination, le gouverneur général en conseil nomme une personne proposée par le gouvernement d'une autre province que le Québec.

Inamovibilité,  
traitement,  
etc.

**101D.** Les articles 99 et 100 s'appliquent aux juges de la Cour suprême du Canada.

Rapport avec  
l'article 101

**101E.** (1) Sous réserve que ne soient pas adoptées, dans les matières visées à l'article 101, de dispositions incompatibles avec les articles 101A à 101D, ceux-ci n'ont pas pour effet de porter atteinte à la compétence législative conférée au Parlement du Canada en ces matières.

Renvois à la  
Cour  
suprême du  
Canada

(2) Il est entendu que l'article 101A n'a pas pour effet de porter atteinte à la compétence législative du Parlement du Canada en ce qui concerne le renvoi à la Cour suprême du Canada de questions de droit ou de fait, ou de toute autre question.»

7. La même loi est modifiée par insertion, après l'article 106, de ce qui suit :

Programmes  
cofinancés

«**106A.** (1) Le gouvernement du Canada fournit une juste compensation au gouvernement d'une province qui choisit de ne pas participer à un programme national cofinancé qu'il établit après l'entrée en vigueur du présent article dans un secteur de compétence exclusive provinciale, si la province applique un programme ou une mesure compatible avec les objectifs nationaux.

Non-élargis-  
sment des  
compétences  
législatives

(2) Le présent article n'élargit pas les compétences législatives du Parlement du Canada ou des législatures des provinces.»

8. La même loi est modifiée par insertion, après l'article 147, de ce qui suit :

#### «XII. — CONFÉRENCES SUR L'ÉCONOMIE ET SUR D'AUTRES QUESTIONS

Convocation

**148.** Le premier ministre du Canada convoque au moins une fois par an une conférence réunissant les premiers ministres provinciaux et lui-même et portant sur l'économie canadienne ainsi que sur toute autre question appropriée.

#### XIII. — MENTIONS

Présomption

**149.** Toute mention de la présente loi est réputée constituer également une mention de ses modifications.»

#### *Loi constitutionnelle de 1982*

9. Les articles 40 à 42 de la *Loi constitutionnelle de 1982* sont abrogés et remplacés par ce qui suit :

Compensation

«40. Le Canada fournit une juste compensation aux provinces auxquelles ne s'applique pas une modification faite conformément au paragraphe 38(1) et relative à un transfert de compétences législatives provinciales au Parlement.

Consentement  
unanime

41. Toute modification de la Constitution du Canada portant sur les questions suivantes se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de chaque province :

a) la charge de Reine, celle de gouverneur général et celle de lieutenant-gouverneur;

b) les pouvoirs du Sénat et le mode de sélection des sénateurs;

c) le nombre de sénateurs par lesquels une province est habilitée à être représentée et les conditions de résidence qu'ils doivent remplir;

d) le droit d'une province d'avoir à la Chambre des communes un nombre de députés au moins égal à celui des sénateurs par lesquels elle était habilitée à être représentée le 17 avril 1982;

e) le principe de la représentation proportionnelle des provinces à la Chambre des communes prévu par la Constitution du Canada;

f) sous réserve de l'article 43, l'usage du français ou de l'anglais;

g) la Cour suprême du Canada;

h) le rattachement aux provinces existantes de tout ou partie des territoires;

i) par dérogation à toute autre loi ou usage, la création de provinces;

j) la modification de la présente partie.»

10. L'article 44 de la même loi est abrogé et remplacé par ce qui suit :

Modification  
par le  
Parlement

«44. Sous réserve de l'article 41, le Parlement a compétence exclusive pour modifier les dispositions de la Constitution du Canada relatives au pouvoir exécutif fédéral, au Sénat ou à la Chambre des communes.»



**11.** Le paragraphe 46(1) de la même loi est abrogé et remplacé par ce qui suit :

Initiative des  
procédures

«**46.** (1) L'initiative des procédures de modification visées aux articles 38, 41 et 43 appartient au Sénat, à la Chambre des communes ou à une assemblée législative.»

**12.** Le paragraphe 47(1) de la même loi est abrogé et remplacé par ce qui suit :

Modification  
sans  
résolution du  
Sénat

«**47.**(1) Dans les cas visés à l'article 38, 41 ou 43, il peut être passé outre au défaut d'autorisation du Sénat si celui-ci n'a pas adopté de résolution dans un délai de cent quatre-vingts jours suivant l'adoption de celle de la Chambre des communes et si cette dernière, après l'expiration du délai, adopte une nouvelle résolution dans le même sens.»

**13.** La partie VI de la même loi est abrogée et remplacée par ce qui suit :

#### «PARTIE VI

#### CONFÉRENCES CONSTITUTIONNELLES

Convocation

**50.** (1) Le premier ministre du Canada convoque au moins une fois par an une conférence constitutionnelle réunissant les premiers ministres provinciaux et lui-même, la première devant avoir lieu en 1988.

Ordre du  
jour

(2) Sont placées à l'ordre du jour de ces conférences les questions suivantes :

a) la réforme du Sénat, y compris son rôle et ses fonctions, ses pouvoirs, le mode de sélection des sénateurs et la représentation au Sénat;

b) les rôles et les responsabilités en matière de pêches;

c) toutes autres questions dont il est convenu.»

**14.** Le paragraphe 52(2) de la même loi est modifié par adjonction de ce qui suit :

«d) les autres modifications qui lui sont apportées.»

**15.** L'article 61 de la même loi est abrogé et remplacé par ce qui suit :

Mentions

«**61.** Toute mention de la *Loi constitutionnelle de 1982* ou des *Lois constitutionnelles de 1867 à 1982* est réputée constituer également une mention de leurs modifications.»

*Dispositions générales*

Patrimoine  
multiculturel  
et peuples  
autochtones

**16.** L'article 2 de la *Loi constitutionnelle de 1867* n'a pas pour effet de porter atteinte aux articles 25 ou 27 de la *Charte canadienne des droits et libertés*, à l'article 35 de la *Loi constitutionnelle de 1982* ou au point 24 de l'article 91 de la *Loi constitutionnelle de 1867*.

## TITRE

Titre

**17.** Titre de la présente modification : *Modification constitutionnelle de 1987. Le 24 novembre 1987.*

9. *Debated April 7 and 11, 1988.*
10. *Mr Conway—Resolution—That the 1987-1988 Estimates and Supplementary Estimates which have not yet been passed by the committees and reported to the House be deemed to be passed and reported to the House, and that the 1987-1988 Estimates and Supplementary Estimates be deemed to be concurred in. April 7, 1988.*

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**MOTION OF NON CONFIDENCE  
UNDER STANDING ORDER 70 (a)**

1. *Mr Rae (York South)—Notice—That the Government lacks the confidence of this House because of its abject failure to provide decent, affordable housing for the working families of Ontario—in particular, through its failure to increase the supply of affordable housing; through its failure to protect the existing housing stock; and through its failure to protect tenants. April 11, 1988.*
-

## PRIVATE MEMBERS' MOTIONS

1. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that huge rent increases year after year are constituting a threat to the competitiveness and survival of retail business in commercial strips serving residential neighbourhoods, the Government of Ontario should introduce legislation as soon as possible to regulate the rents for such business establishments in order to provide those businesses with protection from gouging landlords comparable to the protection given to tenants of residential rental premises under the Residential Rent Regulation Act, 1986. *November 10, 1987.*
2. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that part-time workers in both the public and private sector are discriminated against by the denial of many benefits and rights provided to other workers in the same establishment, a charter of rights for part-time workers should be added to both the Employment Standards Act and the Labour Relations Act to provide pro rata benefits and collective bargaining rights to such workers and that they be made eligible for severance pay and retraining and readjustment programs provided for other workers displaced by technological change in the same establishment. *November 10, 1987.*
4. *Mr Morin-Strom*—Resolution—That, in the opinion of this House, recognizing the importance of the TransCanada Highway to our nation and to our province, the government of Ontario should upgrade the TransCanada Highway to a modern four-lane system through Northern Ontario to the Manitoba border, and that the government should immediately commence design and schedule construction to ensure completion across Northern Ontario by 1997. *November 18, 1987.*
9. *Mr Wildman*—Resolution—That, in the opinion of this House, the plans of the Canada Post Corporation to close, amalgamate or franchise many rural post offices and to eliminate or tender rural route services in order to reduce its operating deficit would reduce essential mail services from many rural Ontario communities, causing severe hardship and inconvenience to rural Ontarians, particularly the elderly and disabled; the Government of Ontario should urge the Government of Canada to halt, immediately, these plans to cut service and maintain and improve rural postal services across Ontario. *December 8, 1987.*
10. *Mr Swart*—Resolution—That, in the opinion of this House, recognizing the particular desirability of the protection of consumers of bereavement services from the business practices associated with corporate concentration and the desirability of fostering and encouraging the small business sector in Ontario, the Government of Ontario should introduce legislation as soon as possible to further regulate the bereavement industry to ensure the following:
  1. That a Board of Bereavement Services, composed of representatives of the public and the various sectors and sub-sectors of the bereavement services industry, be constituted to make recommendations to



the Minister of Consumer and Commercial Relations and the Minister of Health on further reforms of the regulation of bereavement services and to act as the licensing and regulating body for funeral directors, funeral service establishments, cemeterians, cemeteries, monument builders and monument building firms;

2. That the bereavement services industry be divided into three sectors, consisting of cemeteries, funeral services and monument builders and that no proprietor, partnership or corporate entity be allowed to offer services in more than one of these sectors and that any operator who currently offers services in more than one of the sectors be allowed five years to divest itself of operations in more than one sector and where one corporate entity owns more than twenty-five per cent of the shares in other corporate entities operating in more than one of the sectors, relations between such entities shall be at arm's length;
  3. That funeral service establishments may act as agents for monument building firms in rural areas where the Board of Bereavement Services establishes that a consumer need exists and where there is no monument building firm willing to establish in such rural areas;
  4. That the ownership of any proprietorship, partnership or corporate entity involved in the provision of bereavement services must be fully disclosed to the public, including the names of all shareholders in a corporate entity who hold more than ten per cent of the shares in such entity;
  5. That no funeral service facility be allowed on the grounds of, or adjoining the grounds of, a cemetery;
  6. That for the purpose of provincial business and corporate income taxation, as well as for the purpose of municipal property taxation, cemeteries be categorized as either non-profit or commercial and that those categorized as non-profit be exempt from income and property tax and those categorized as commercial be subject to income taxation and to property taxation on all lands less each grave space occupied by a deceased person;
  7. That funeral services be sold only by a licensed funeral director through a licensed funeral service establishment, cemetery services be sold only by a licensed cemeterian through a licensed cemetery and upright monument services be sold only by a licensed monument builder through a licensed monument building firm; and
  8. That there be no telephone or door-to-door solicitation of funeral, cemetery or monument services. *December 14, 1987.*
12. *Mr Runciman*—Resolution—That, in the opinion of this House, recognizing that there have been twenty-eight bank branch closures across Ontario between 1982 and 1986 which have left many small communities without adequate banking services, the Government of Ontario should review all requests for satellite banking services and establish Province of Ontario



Savings Offices in those areas where population levels demonstrate a need for them and where financial benefit can be determined. *December 15, 1987.*

13. *Mr Sterling*—Resolution—That, in the opinion of this House, recognizing the devastating and lethal impact of tobacco on the health of our citizenry, and recognizing the tobacco industry's attempt to advertise in a manner designed to undermine the health warnings of its hazardous product, the Government of Ontario should pursue every opportunity to express its support for the Federal Government's initiative, Bill C-51, the *Tobacco Products Control Act*, An Act to prohibit the advertising and promotion and respecting the labelling and monitoring of tobacco products. *December 15, 1987.*
  
16. *Miss Martel*—Resolution—That, in the opinion of this House, this Legislature condemns the Government of Ontario for its failure to establish the Northern Ontario Heritage Fund as outlined in the Budget of May 20, 1987 and in the Speech from the Throne of November 3, 1987 therefore this Legislature strongly urges the Government to:
  - immediately establish the Northern Ontario Heritage Fund;
  - ensure that Northerners, through committees representing Northern communities, labour, Native groups, women's groups and local small businesses, control the disbursement of the Fund; and
  - provide substantial funding to help ensure long-term economic growth and diversification of the region. *April 5, 1988.*
  
17. *Mr Kanter*—Resolution—That, in the opinion of this House, recognizing that organ transplants constitute a cost efficient medical practice that has saved lives and improved the quality of life for thousands of Ontario residents, and recognizing further that hundreds of Ontario residents wait desperately for organs that could give them a second chance at life, physicians should therefore be reminded, through their routine procedures, to consider whether a person who dies in a public hospital is a suitable organ donor and whether it is appropriate to approach the family of the deceased for consent to the transplant of any of the organs of the deceased, therefore the Government should amend the regulations under the *Public Hospitals Act* to require every public hospital to include questions similar to the following in any form required by the hospital to be completed by a physician to record the death of a patient in the hospital:
  1. Has the patient been considered as an organ donor.
  2. Are the wishes of the patient regarding donation of his or her organs known.
  3. Are the wishes of the patient's family regarding the donation of the patient's organs known.

4. (a) Has consent for organ or tissue donation been obtained.

(b) If so, what organs or tissue have been donated. *April 5, 1988.*

19. *Mr Swart*—Resolution—That, in the opinion of this House, recognizing the need for the expansion of hospital beds and related facilities in scores of communities across the province, and given the undesirability of using the regressive property tax system for funding such construction or renovation, the Lieutenant Governor-in-Council should amend Ontario Regulation 859 under the Public Hospitals Act which now limits provincial contributions to a ceiling of two thirds (five sixths on the North)—a ceiling seldom reached—to allow the provincial contribution to be 100% of the costs. *April 7, 1988.*
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## QUESTIONS

*(Questions are to appear on the day after they are tabled and on every subsequent day in the week they are tabled and then subsequently only on each Monday until an Answer (other than an Interim Answer) is tabled. A question tabled on a Thursday will appear on each day of the following week.)*

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101. *Mr Cooke* (Windsor-Riverside)—Enquiry of the Ministry—Would the Chairman of Management Board of Cabinet provide the House with a list of all communities in Ontario where provincial government jobs are located, the number of provincial government employees in each of these communities and which ministry of government they work for. *April 7, 1988.*
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## PRIVATE MEMBERS' BUSINESS TO BE DEBATED

*(Precedence in accordance with the Standing Order 71 (d).)*

Ballot Item No. 13—*To be debated on Thursday, April 14, 1988.*

*Mr. Kanter*—Resolution—That, in the opinion of this House, recognizing that organ transplants constitute a cost efficient medical practice that has saved lives and improved the quality of life for thousands of Ontario residents, and recognizing further that hundreds of Ontario residents wait desperately for organs that could give them a second chance at life, physicians should therefore be reminded, through their routine procedures, to consider whether a person who dies in a public hospital is a suitable organ donor and whether it is appropriate to approach the family of the deceased for consent to the transplant of any of the organs of the deceased, therefore the Government should amend the regulations under the *Public Hospitals Act* to require every public hospital to include questions similar to the following in any form required by the hospital to be completed by a physician to record the death of a patient in the hospital:

1. Has the patient been considered as an organ donor.
2. Are the wishes of the patient regarding donation of his or her organs known.
3. Are the wishes of the patient's family regarding the donation of the patient's organs known.
4. (a) Has consent for organ or tissue donation been obtained.  
(b) If so, what organs or tissue have been donated.

Ballot Item No. 14—*To be debated on Thursday, April 14, 1988.*

*Miss Martel*—Resolution—That, in the opinion of this House, this Legislature condemns the Government of Ontario for its failure to establish the Northern Ontario Heritage Fund as outlined in the Budget of May 20, 1987 and in the Speech from the Throne of November 3, 1987 therefore this Legislature strongly urges the Government to:

- immediately establish the Northern Ontario Heritage Fund;
  - ensure that Northerners, through committees representing Northern communities, labour, Native groups, women's groups and local small businesses, control the disbursement of the Fund; and
  - provide substantial funding to help ensure long-term economic growth and diversification of the region.
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## BILLS REFERRED TO STANDING COMMITTEES

### STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Bill Pr1, An Act respecting Canada Christian College and School of Graduate Theological Studies. *Mr Allen.* (Referred November 18, 1987.)

Bill Pr2, An Act to revive Big Cedar Association. *Mr Owen.* (Referred February 8, 1988.)

Bill Pr4, An Act respecting The Ottawa Civil Service Recreational Association. *Mr Chiarelli.* (Referred November 16, 1987.)

Bill Pr5, An Act respecting The Chartered Institute of Marketing Management of Ontario. *Ms Hart.* (Referred February 8, 1988.)

Bill Pr7, An Act respecting the Driving School Association of Ontario. *Mr Ferraro.* (Referred November 9, 1987.)

Bill Pr10, An Act respecting the Oshawa Public Utilities Commission. *Mr Breaugh.* (Referred December 3, 1987.)

Bill Pr16, An Act respecting the City of Toronto. *Mr Kanter.* (Referred December 8, 1987.)

Bill Pr22, An Act respecting the City of Mississauga. *Mr Offer.* (Referred December 17, 1987.)

Bill Pr24, An Act respecting the Hamilton Civic Hospitals. *Ms Collins.* (Referred December 7, 1987.)

Bill Pr25, An Act respecting Kingsway General Insurance Company. *Mr Cousens.* (Referred December 9, 1987.)

Bill Pr27, An Act respecting the Ontario Municipal Management Institute. *Mr Campbell.* (Referred December 22, 1987.)

Bill Pr28, An Act to revive Mid-Continent Bond Corporation, Limited. *Mr Ray* (Windsor-Walkerville). (Referred April 6, 1988.)

Bill Pr29, An Act respecting The United Church of Canada and The Canada Conference The Evangelical United Brethren Church. *Mr Epp.* (Referred February 8, 1988.)

Bill Pr30, An Act respecting The General Hospital of Port Arthur. *Mr Kozyra.* (Referred December 3, 1987.)

Bill Pr34, An Act to revive Machin Mines Limited. *Mr Kanter.* (Referred February 9, 1988.)

Bill Pr37, An Act respecting the University of Western Ontario. *Mr Reycraft. (Referred December 22, 1987.)*

Bill Pr38, An Act to revive Prow Yellowknife Gold Mines Ltd. *Mr Kanter. (Referred February 9, 1988.)*

Bill Pr49, An Act to revive Lebon Gold Mines Limited. *Mr Kanter. (Referred February 8, 1988.)*

Bill Pr56, An Act respecting the City of Toronto. *Mr Kanter. (Referred November 30, 1987.)*

Bill Pr62, An Act respecting The Windsor Utilities Commission. *Mr Ray (Windsor-Walkerville). (Referred December 21, 1987.)*

Bill Pr67, An Act respecting the City of Hamilton. *Mr Charlton. (Referred December 3, 1987.)*

## STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Bill 13, An Act respecting Environmental Rights in Ontario. *Mrs Grier. (Referred December 10, 1987.)*

## STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Bill 50, An Act to provide for Community Mental Health Services. *Mr Reville. (Referred December 17, 1987.)*

## MATTERS REFERRED TO SELECT COMMITTEES

### SELECT COMMITTEE ON EDUCATION

Consider and report on the role of the formal elementary and secondary school system in the successful transition of young students to adulthood in Ontario. *(Referred by Order of the House on February 11, 1988.)*

### SELECT COMMITTEE ON ENERGY

Consider and report on Ontario Hydro Affairs. *(Referred by Order of the House on February 11, 1988.)*

## SELECT COMMITTEE ON CONSTITUTIONAL REFORM

Consider and report on the 1987 Constitutional Accord (Sessional Paper No. 74), and matters related thereto. (*Referred by Order of the House on November 30, 1987.*)

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## MATTERS REFERRED TO STANDING COMMITTEES

(*In accordance with the Standing Orders, statutory annual reports of each ministry and of all agencies, boards and commissions reporting to each Minister for the immediate past reporting period stand permanently referred to the appropriate Standing Committees.*)

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## STANDING COMMITTEE ON FINANCE AND ECONOMIC AFFAIRS

Consider and report on the Canada-U.S. Free Trade Agreement (Sessional Paper Number 108). (*Referred by Order of the House on January 7, 1988.*)

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## STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Consider and report on Safety in Ontario Mines. (*Referred by Order of the House on January 7, 1988.*)

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## COMMITTEE MEETING

The Standing Committee on Finance and Economic Affairs will meet to consider the Free Trade Agreement as follows:

Thursday, 14 April	10.30 a.m.	Room No. 1
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The Standing Committee on Government Agencies will meet as follows:

Wednesday, 13 April	10.00 a.m.	Room No. 228
to review the Ontario Food Terminal Board		

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The Standing Committee on the Legislative Assembly will meet as follows:

Wednesday, 13 April	3.30 p.m.	Room No. 228
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The Standing Committee on the Ombudsman will meet as follows:

Wednesday, 13 April	10.00 a.m.	Room No. 2
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The Standing Committee on Public Accounts will meet to review the 1987 Annual Report of the Provincial Auditor as follows:

Thursday, 14 April	10.00 a.m.	Room No. 151
Section 2.2		
The Estimates Process—Maligned and Ineffective		

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The Standing Committee on Regulations and Private Bills will meet to consider Bill Pr22, An Act respecting the City of Mississauga; Bill Pr10, An Act respecting the Oshawa Public Utilities Commission; and Bill Pr62, An Act respecting The Windsor Utilities Commission as follows:

Wednesday, 13 April	10.00 a.m.	Room No. 1
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The Standing Committee on Resources Development will meet to consider accidents and fatalities in Ontario mines as follows:

Wednesday, 13 April	following Routine Proceedings	Room No. 1
Thursday, 14 April	following Routine Proceedings	Room No. 1

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The Select Committee on Constitutional Reform will meet as follows:

Wednesday, 13 April      9.30 a.m. and following R.P.      Room No. 151

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The Select Committee on Education will meet for the purpose of organization as follows:

Wednesday, 13 April      following Routine Proceedings      Room No. 2

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## ESTIMATES

**TOTAL HOURS FOR CONSIDERATION OF  
ALL ESTIMATES ..... 381 hrs., 30 mins.**

### IN COMMITTEE OF SUPPLY

(Estimates to be taken in order shown)

- |   |                  |
|---|------------------|
| 1. Lieutenant Governor,<br>Premier and Cabinet Office ..... | 7 hrs., 30 mins. |
| 2. Government Services .....                                | 7 hrs., 30 mins. |
| <i>(Includes supplementaries, Number 2)†‡</i>               |                  |
| 3. Intergovernmental Affairs .....                          | 7 hrs., 30 mins. |
| 4. Management Board of Cabinet .....                        | 7 hrs., 30 mins. |
| 5. Revenue .....  | 7 hrs., 30 mins. |
| <i>(Includes supplementaries, Number 1)†</i>                |                  |
| 6. Francophone Affairs .....                                | 7 hrs., 30 mins. |

### IN STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

(Estimates to be taken in order shown)

- |   |  |
|---|--|
| 1. Treasury and Economics .....                   | <i>(Completed Tuesday, December 8, 1987)</i> |
| 2. Energy .....                                   | 5 hrs., 54 mins.                             |
| <i>(Includes supplementaries, Number 1)†</i>      |  |
| <i>(Adjourned at Vote 1301, Item 1)</i>           |  |
| 3. Attorney General .....                         | 7 hrs., 30 mins.                             |
| <i>(Includes supplementaries, Number 1)†</i>      |  |
| <i>(Includes supplementaries, Number 2)‡</i>      |  |
| 4. Consumer and Commercial Relations .....        | 7 hrs., 30 mins.                             |
| <i>(Includes supplementaries, Number 1)†</i>      |  |
| 5. Correctional Services .....                    | 7 hrs., 30 mins.                             |
| 6. Financial Institutions .....                   | 7 hrs., 30 mins.                             |
| 7. Office Responsible for<br>Native Affairs ..... | 7 hrs., 30 mins.                             |
| 8. Solicitor General .....                        | 7 hrs., 30 mins.                             |

†Supplementary Estimates Number 1 Tabled December 17, 1987.

‡Supplementary Estimates Number 2 Tabled February 9, 1988.

## IN STANDING COMMITTEE ON GENERAL GOVERNMENT

(Estimates to be taken in order shown)

- |   |                  |
|---|------------------|
| 1. Labour .....                                   | 3 hrs., 06 mins. |
| (Adjourned at Vote 2101, Item 1)                  |                  |
| 2. Northern Development .....                     | 7 hrs., 30 mins. |
| 3. Office Responsible for<br>Women's Issues ..... | 7 hrs., 30 mins. |

## IN STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

(Estimates to be taken in order shown)

- |  |        |
|--|--------|
| 1. Office of the Assembly .....                  | 5 hrs. |
| <i>(Includes supplementaries, Number 1)†</i>     |        |
| 2. Office of the<br>Chief Election Officer ..... | 5 hrs. |

## IN STANDING COMMITTEE ON THE OMBUDSMAN

(Estimates to be taken in order shown)

- |  |        |
|--|--------|
| 1. Office of the Ombudsman .....             | 5 hrs. |
| <i>(Includes supplementaries, Number 1)†</i> |        |

## IN STANDING COMMITTEE ON PUBLIC ACCOUNTS

(Estimates to be taken in order shown)

- |  |  |
|--|--|
| 1. Office of the Provincial Auditor .. | <i>(Completed Thursday, December 17, 1987)</i> |
|--|--|

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†Supplementary Estimates Number 1 Tabled December 17, 1987.

## IN STANDING COMMITTEE ON RESOURCES DEVELOPMENT

(Estimates to be taken in order shown)

1. Industry, Trade and Technology . *(Completed Thursday, December 10, 1987)*
2. Housing ..... *(Completed Thursday, December 17, 1987)*
3. Environment ..... 7 hrs., 30 mins.  
*(Includes supplementaries, Number 1)†*
4. Agriculture and Food ..... 7 hrs., 30 mins.  
*(Includes supplementaries, Number 1)†*
5. Mines ..... 7 hrs., 30 mins.
6. Municipal Affairs ..... 7 hrs., 30 mins.  
*(Includes supplementaries, Number 1)†*  
*(Includes supplementaries, Number 2)‡*
7. Natural Resources ..... 7 hrs., 30 mins.  
*(Includes supplementaries, Number 1)†*
8. Tourism and Recreation ..... 7 hrs., 30 mins.
9. Transportation ..... 7 hrs., 30 mins.  
*(Includes supplementaries, Number 1)†*
10. Industry, Trade and Technology ..... —  
*(Supplementaries only, Number 2)‡*
11. Housing ..... —  
*(Supplementaries only, Number 2)‡*

†Supplementary Estimates Number 1 Tabled December 17, 1987.

‡Supplementary Estimates Number 2 Tabled February 9, 1988.



## IN STANDING COMMITTEE ON SOCIAL DEVELOPMENT

(Estimates to be taken in order shown)

1. Skills Development ..... (*Completed Thursday, December 10, 1987*)
2. Office for Disabled Persons ..... (*Completed Thursday, December 17, 1987*)
3. Education ..... 7 hrs., 30 mins.  
(*Includes supplementaries, Number 2*)‡
4. Office Responsible for  
Senior Citizens' Affairs ..... 7 hrs., 30 mins.
5. Citizenship ..... 7 hrs., 30 mins.
6. Colleges and Universities ..... 7 hrs., 30 mins.  
(*Includes supplementaries, Number 1*)†
7. Community and Social Services ..... 7 hrs., 30 mins.  
(*Includes supplementaries, Number 1*)†  
(*Includes supplementaries, Number 2*)‡
8. Culture and Communications ..... 7 hrs., 30 mins.
9. Health ..... 7 hrs., 30 mins.  
(*Includes supplementaries, Number 1*)†  
(*Includes supplementaries, Number 2*)‡
10. Skills Development ..... —  
(*Supplementaries only, Number 1*)†
11. Office for Disabled Persons ..... —  
(*Supplementaries only, Number 1*)†

†Supplementary Estimates Number 1 Tabled December 17, 1987.

‡Supplementary Estimates Number 2 Tabled February 9, 1988.



Legislative Assembly  
of the Province of Ontario

**1st Session, 34th Parliament**  
**Wednesday, April 13, 1988**

## GOVERNMENT BILLS AND ORDERS

1. *Second Reading* Bill 4, An Act to amend the Metropolitan Toronto Police Force Complaints Act, 1984. *Mr Scott.* **PRINTED.**
2. *Second Reading* Bill 5, An Act to amend the Proceedings Against the Crown Act. *Mr Scott.* **PRINTED.**
3. *Second Reading* Bill 6, An Act to amend the Execution Act. *Mr Scott.* **PRINTED.**
4. *Second Reading* Bill 7, An Act to implement the Model Law on International Commercial Arbitration adopted by the United Nations Commission on International Trade Law. *Mr Scott.* **PRINTED.**

*Deuxième lecture* Projet de loi 7, Loi portant mise en application de la Loi type sur l'arbitrage commercial international adoptée par la Commission des Nations Unies pour le droit commercial international. *M. Scott.* **IMPRIME.**

5. *Second Reading* Bill 9, An Act permitting Trustees and other Persons to dispose of South African investments. *Mr Scott.* **PRINTED.**

*Deuxième lecture* Projet de loi 9, Loi permettant aux fiduciaires et à d'autres personnes d'aliéner les placements sud-africains. *M. Scott.* **IMPRIMÉ.**

6. *Second Reading* Bill 15, An Act to amend the Barristers Act. *Mr Scott.* **PRINTED.**
7. *Second Reading* Bill 22, An Act to regulate Motor Vehicle Repairs. *Mr Wrye.* **PRINTED.**
8. *Second Reading* Bill 26, An Act to regulate Prepaid Services. *Mr Wrye.* **PRINTED.**
9. *Second Reading* Bill 27, An Act respecting Prearranged and Prepaid Funerals. *Mr Wrye.* **PRINTED.**
10. *Second Reading* Bill 28, An Act to amend the Funeral Services Act. *Mrs Caplan.* **PRINTED.**
11. *Second Reading* Bill 52, An Act to amend the Consumer Reporting Act. *Mr Wrye.* **PRINTED.**
12. *Second Reading* Bill 59, An Act to amend the Municipal Act and certain other Acts related to municipalities. *Mr Eakins.* **PRINTED.**
13. *Second Reading* Bill 66, An Act respecting Agricultural and Horticultural Organizations. *Mr Riddell.* **PRINTED.\***

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\*Lieutenant Governor's Recommendation received.



14. *Second Reading* Bill 68, An Act to promote the Conservation of Certain Land. *Mr Kerrio.* **PRINTED.**
15. *Second Reading* Bill 69, An Act to amend the Education Act. *Mr Ward.* **PRINTED.**
16. *Second Reading* Bill 70, An Act to amend the Education Act. *Mr Ward.* **PRINTED.**
17. *Second Reading* Bill 76, An Act to amend the Education Act and certain other Acts related to Education. *Mr Ward.* **PRINTED.**
18. *Second Reading* Bill 78, An Act respecting the Sale of Farm Implements. *Mr Riddell.* **PRINTED.**
19. *Second Reading* Bill 82, An Act respecting Energy Efficiency. *Mr Wong.* **PRINTED.**
20. *Second Reading* Bill 83, An Act respecting the Protection of Farm Practices. *Mr Riddell.* **PRINTED.**
21. *Second Reading* Bill 84, An Act to amend the Corporations Tax Act. *Mr Grandmaître.* **PRINTED.\***
22. *Second Reading* Bill 85, An Act to amend the Mining Tax Act. *Mr Grandmaître.* **PRINTED.\***
23. *Second Reading* Bill 86, An Act to amend the Highway Traffic Act. *Mr Fulton.* **PRINTED.**
24. *Second Reading* Bill 87, An Act to amend the Ontario Highway Transport Board Act. *Mr Fulton.* **PRINTED.**
25. *Second Reading* Bill 88, An Act to regulate Truck Transportation. *Mr Fulton.* **PRINTED.**
26. *Second Reading* Bill 90, An Act respecting the United Nations Convention on Contracts for the International Sale of Goods. *Mr Scott.* **PRINTED.**

*Deuxième lecture* Projet de loi 90, Loi concernant la Convention des Nations Unies sur les contrats de vente internationale de marchandises. *M. Scott.* **IMPRIMÉ.**

27. *Second Reading* Bill 93, An Act to revise the Justices of the Peace Act. *Mr Scott.* **PRINTED.**

*Deuxième lecture* Projet de loi 93, Loi portant révision de la Loi sur les juges de paix. *M. Scott.* **IMPRIMÉ.**

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\*Lieutenant Governor's Recommendation received.

28. *Second Reading* Bill 98, An Act to amend the Public Transportation and Highway Improvement Act. *Mr Fulton.* **PRINTED.**
  29. *Second Reading* Bill 99, An Act to amend the Ministry of Transportation and Communications Act. *Mr Fulton.* **PRINTED.**
  30. *Second Reading* Bill 100, An Act to amend the Education Act. *Mr Ward.* **PRINTED.**
  31. *Second Reading* Bill 101, An Act to repeal the Ministry of Transportation and Communications Creditors Payment Act. *Mr Fulton.* **PRINTED.**
  32. *Second Reading* Bill 102, An Act to amend the Construction Lien Act, 1983. *Mr Fulton.* **PRINTED.**
  33. *Second Reading* Bill 106, An Act to amend the Municipal Elections Act and the Municipal Act. *Mr Eakins.* **PRINTED.**
  34. *Second Reading* Bill 107, An Act to amend the Child and Family Services Act, 1984. *Mr Sweeney.* **PRINTED.**
  35. *Second Reading* Bill 108, An Act to amend the Rental Housing Protection Act, 1986. *Ms Hošek.* **PRINTED.**
  36. *Second Reading* Bill 109, An Act to establish a French-language School Board for The Regional Municipality of Ottawa-Carleton. *Mr Ward.*  
  
*Deuxième lecture* Projet de loi 109, Loi portant création d'un Conseil scolaire de langue française pour la municipalité régionale d'Ottawa-Carleton. *M. Ward.*
  37. *Resuming the Adjourned Debate* on the Motion for Interim Supply for the period commencing April 16, 1988, and ending June 30, 1988.
  38. *Concurrence in Supply* for the Ministry of Treasury and Economics.
  39. *Concurrence in Supply* for the Ministry of Skills Development.
  40. *Concurrence in Supply* for the Ministry of Industry, Trade and Technology.
  41. *Concurrence in Supply* for the Office of the Provincial Auditor.
  42. *Concurrence in Supply* for the Office for Disabled Persons.
  43. *Concurrence in Supply* for the Ministry of Housing.
  44. *House in Committee of Supply.*
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## PRIVATE MEMBERS' PUBLIC BILLS AND ORDERS

### 45. *Committee of the Whole House:*

Bill 24, An Act to establish a Tourism Advisory Board. *Mr McLean.* **PRINTED.**

Bill 75, An Act to establish the Municipal Council Retirement Fund and to provide Retirement Allowances to Municipal Councillors. *Mr Cureatz.* **PRINTED.**

46. *Second Reading* Bill 3, An Act to protect the Public Health and Comfort and the Environment by Prohibiting and Controlling Smoking in Public Places. *Mr Sterling.* **PRINTED.**

47. *Second Reading* Bill 8, An Act to amend the Representation Act, 1986. *Mr Villeneuve.* **PRINTED.**

48. *Second Reading* Bill 10, An Act to amend the Election Act, 1984. *Mr Cousens.* **PRINTED.**

49. *Second Reading* Bill 12, An Act to ban Sunday racing and intertrack wagering at Greenwood Raceway and to change the composition and procedures of the Ontario Racing Commission. *Ms Bryden.* **PRINTED.**

50. *Second Reading* Bill 14, An Act to protect and enhance the Quality of Drinking Water in Ontario. *Mrs Grier.* **PRINTED.**

51. *Second Reading* Bill 16, An Act to encourage the Rehabilitation of Water Delivery Systems in Ontario. *Mrs Marland.* **PRINTED.**

52. *Second Reading* Bill 17, An Act to amend the Planning Act, 1983. *Mr Johnston (Scarborough West).* **PRINTED.**

53. *Second Reading* Bill 18, An Act to provide for the Conversion of Technologies and Skills used in the Nuclear Weapons Industry to Civilian Use. *Mr Johnston (Scarborough West).* **PRINTED.**

54. *Second Reading* Bill 23, An Act to proclaim 1995 as the 150th Anniversary of the arrival of Irish Immigrants in Canada. *Mr Pollock.* **PRINTED.**

55. *Second Reading* Bill 30, An Act to amend the Pension Benefits Act. *Mr Mackenzie.* **PRINTED.**

56. *Second Reading* Bill 31, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**

57. *Second Reading* Bill 32, An Act to provide for the Employment of Disabled Persons. *Mr Mackenzie.* **PRINTED.**

58. *Second Reading* Bill 33, An Act to amend the Education Act. *Mr Mackenzie.* **PRINTED.**

59. *Second Reading* Bill 34, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
60. *Second Reading* Bill 35, An Act to amend the Public Vehicles Act. *Mr Mackenzie.* **PRINTED.**
61. *Second Reading* Bill 36, An Act to provide Political Rights for Public Servants. *Mr Mackenzie.* **PRINTED.**
62. *Second Reading* Bill 37, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
63. *Second Reading* Bill 38, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
64. *Second Reading* Bill 39, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
65. *Second Reading* Bill 40, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
66. *Second Reading* Bill 41, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
67. *Second Reading* Bill 42, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
68. *Second Reading* Bill 43, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
69. *Second Reading* Bill 44, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
70. *Second Reading* Bill 45, An Act to amend the Children's Law Reform Act. *Mr Cousens.* **PRINTED.**
71. *Second Reading* Bill 47, An Act to amend the Highway Traffic Act. *Mrs Grier.* **PRINTED.**
72. *Second Reading* Bill 48, An Act to amend the Police Act. *Mr Eves.* **PRINTED.**
73. *Second Reading* Bill 49, An Act to relieve Persons from Liability in respect of voluntary Emergency Medical and First Aid Services. *Mr Haggerty.* **PRINTED.**
74. *Second Reading* Bill 53, An Act to provide for the Safety and Welfare of Crown Witnesses in Certain Criminal Proceedings. *Mr Runciman.* **PRINTED.**
75. *Second Reading* Bill 57, An Act to amend the Energy Act. *Mr Wildman.* **PRINTED.**



76. *Second Reading* Bill 60, An Act respecting the Sale of Farm Machinery and Equipment in Ontario. *Mr Wildman.* **PRINTED.**
77. *Second Reading* Bill 62, An Act to amend the Health Protection and Promotion Act, 1983. *Mr Henderson.* **PRINTED.**
78. *Second Reading* Bill 63, An Act to amend the Laboratory and Specimen Collection Centre Licensing Act. *Mr Henderson.* **PRINTED.**
79. *Second Reading* Bill 64, An Act to amend the Health Insurance Act. *Mr Henderson.* **PRINTED.**
80. *Second Reading* Bill 67, An Act to establish the East/Central Ontario Recreational Trails Commission. *Mr Pollock.* **PRINTED.**
81. *Second Reading* Bill 71, An Act to amend the Occupational Health and Safety Act. *Mr Rae (York South).* **PRINTED.**
82. *Second Reading* Bill 72, An Act respecting Simcoe Day. *Mr McLean.* **PRINTED.**
83. *Second Reading* Bill 73, An Act to amend the Public Service Superannuation Act. *Mr McLean.* **PRINTED.**
84. *Second Reading* Bill 74, An Act to amend the Legislative Assembly Retirement Allowances Act. *Mr McLean.* **PRINTED.**
85. *Second Reading* Bill 89, An Act requiring municipalities to establish Programs for the Recycling of Garbage. *Mrs Marland.* **PRINTED.**
86. *Second Reading* Bill 91, An Act to amend the Election Act. *Mr Sterling.* **PRINTED.**
87. *Second Reading* Bill 92, An Act to prevent unjust enrichment through the Financial Exploitation of Crime. *Mr Wildman.* **PRINTED.**
88. *Second Reading* Bill 94, An Act to prohibit Discrimination by Municipalities against Unrelated Persons Occupying Residential Property. *Mr Jackson.* **PRINTED.**
89. *Second Reading* Bill 95, An Act to amend the Children's Law Reform Act. *Mr Henderson.* **PRINTED.**
90. *Second Reading* Bill 96, An Act to amend the Highway Traffic Act. *Mr Wildman.* **PRINTED.**
91. *Second Reading* Bill 97, An Act to amend Human Rights Code, 1981. *Mr Reville.* **PRINTED.**
92. *Second Reading* Bill 103, An Act respecting Living Wills. *Mr Cureatz.* **PRINTED.**

93. *Second Reading* Bill 104, An Act to amend the Courts of Justice Act, 1984.  
*Mr Cureatz. PRINTED.*
94. *Second Reading* Bill 105, An Act to amend the Legislative Assembly Act.  
*Mr Cureatz. PRINTED.*
95. *Second Reading* Bill 110, An Act to declare Remembrance Day as a Holiday  
for Veterans. *Mr Henderson. PRINTED.*
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## NOTICES

### GOVERNMENT MOTIONS

6. *Mr. Peterson*—Resolution—WHEREAS the *Constitution Act, 1982* came into force on April 17, 1982, following an agreement between Canada and all the provinces except Quebec;

AND WHEREAS the Government of Quebec has established a set of five proposals for constitutional change and has stated that amendments to give effect to those proposals would enable Quebec to resume a full role in the constitutional councils of Canada;

AND WHEREAS the amendment proposed in the schedule hereto sets out the basis on which Quebec's five constitutional proposals may be met;

AND WHEREAS the amendment proposed in the schedule hereto also recognizes the principle of the equality of all the provinces, provides new arrangements to foster greater harmony and cooperation between the Government of Canada and the governments of the provinces and requires that conferences be convened to consider important constitutional, economic and other issues;

AND WHEREAS certain portions of the amendment proposed in the schedule hereto relate to matters referred to in section 41 of the *Constitution Act, 1982*;

AND WHEREAS section 41 of the *Constitution Act, 1982* provides that an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and the House of Commons and of the legislative assembly of each province;

NOW THEREFORE the Legislative Assembly of Ontario resolves that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by Her Excellency the Governor General under the Great Seal of Canada in accordance with the schedule hereto.

### SCHEDULE

#### CONSTITUTION AMENDMENT, 1987

##### *Constitution Act, 1867*

1. The *Constitution Act, 1867* is amended by adding thereto, immediately after section 1 thereof, the following section:

Interpre-  
tation

“2. (1) The Constitution of Canada shall be interpreted in a manner consistent with

(a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present elsewhere

in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada; and

(b) the recognition that Quebec constitutes within Canada a distinct society.

Role of  
Parliament  
and  
legislatures

(2) The role of the Parliament of Canada and the provincial legislatures to preserve the fundamental characteristic of Canada referred to in paragraph (1)(a) is affirmed.

Role of  
legislature  
and  
Government  
of Quebec

(3) The role of the legislature and Government of Quebec to preserve and promote the distinct identity of Quebec referred to in paragraph (1)(b) is affirmed.

Rights of  
legislatures  
and  
governments  
preserved

(4) Nothing in this section derogates from the powers, rights or privileges of Parliament or the Government of Canada, or of the legislatures or governments of the provinces, including any powers, rights or privileges relating to language.”

2. The said Act is further amended by adding thereto, immediately after section 24 thereof, the following section:

Names to be  
submitted

“25. (1) Where a vacancy occurs in the Senate, the Government of the province to which the vacancy relates may, in relation to that vacancy, submit to the Queen’s Privy Council for Canada the names of persons who may be summoned to the Senate.

Choice of  
Senators  
from names  
submitted

(2) Until an amendment to the Constitution of Canada is made in relation to the Senate pursuant to section 41 of the *Constitution Act, 1982*, the person summoned to fill a vacancy in the Senate shall be chosen from among persons whose names have been submitted under subsection (1) by the government of the province to which the vacancy relates and must be acceptable to the Queen’s Privy Council for Canada.”

3. The said Act is further amended by adding thereto, immediately after section 95 thereof, the following heading and sections:

#### *“Agreements on Immigration and Aliens*

Commitment  
to negotiate

95A. The Government of Canada shall, at the request of the government of any province, negotiate with the government of that province for the purpose of concluding an agreement relating to immigration or the temporary admission of aliens into that province that is appropriate to the needs and circumstances of that province.



## Agreements

**95B.** (1) Any agreement concluded between Canada and a province in relation to immigration or the temporary admission of aliens into that province has the force of law from the time it is declared to do so in accordance with subsection 95C(1) and shall from that time have effect notwithstanding class 25 of section 91 or section 95.

## Limitation

(2) An agreement that has the force of law under subsection (1) shall have effect only so long and so far as it is not repugnant to any provision of an Act of the Parliament of Canada that sets national standards and objectives relating to immigration or aliens, including any provision that establishes general classes of immigrants or relates to levels of immigration for Canada or that prescribes classes of individuals who are inadmissible into Canada.

## Application of Charter

(3) The *Canadian Charter of Rights and Freedoms* applies in respect of any agreement that has the force of law under subsection (1) and in respect of anything done by the Parliament or Government of Canada, or the legislature or government of a province, pursuant to any such agreement.

## Proclamation relating to agreements

**95C.** (1) A declaration that an agreement referred to in subsection 95B(1) has the force of law may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement.

## Amendment of agreements

(2) An amendment to an agreement referred to in subsection 95B(1) may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized

(a) by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement; or

(b) in such other manner as is set out in the agreement.

Application of sections 46 to 48 of *Constitution Act, 1982*

**95D.** Sections 46 to 48 of the *Constitution Act, 1982* apply, with such modifications as the circumstances require, in respect of any declaration made pursuant to subsection 95C(1), any amendment to an agreement made pursuant to subsection 95C(2) or any amendment made pursuant to section 95E.

## Amendments to sections 95A to 95D or this section

**95E.** An amendment to sections 95A to 95D or this section may be made in accordance with the procedure set out in subsection 38(1) of the *Constitution Act, 1982*, but only if the amendment is authorized by resolutions of the legislative assemblies of all the provinces that are, at the time of the

amendment, parties to an agreement that has the force of law under subsection 95B(1).”

4. The said Act is further amended by adding thereto, immediately preceding section 96 thereof, the following heading:

*“General”*

5. The said Act is further amended by adding thereto, immediately preceding section 101 thereof, the following heading:

*“Courts Established by the Parliament of Canada”*

6. The said Act is further amended by adding thereto, immediately after section 101 thereof, the following heading and sections:

*“Supreme Court of Canada*

Supreme  
Court  
continued

**101A.** (1) The court existing under the name of the Supreme Court of Canada is hereby continued as the general court of appeal for Canada, and as an additional court for the better administration of the laws of Canada, and shall continue to be a superior court of record.

Constitution  
of court

(2) The Supreme Court of Canada shall consist of a chief justice to be called the Chief Justice of Canada and eight other judges, who shall be appointed by the Governor General in Council by letters patent under the Great Seal.

Who may be  
appointed  
judges

**101B.** (1) Any person may be appointed a judge of the Supreme Court of Canada who, after having been admitted to the bar of any province or territory, has, for a total of at least ten years, been a judge of any court in Canada or a member of the bar of any province or territory.

Three judges  
from Quebec

(2) At least three judges of the Supreme Court of Canada shall be appointed from among persons who, after having been admitted to the bar of Quebec, have, for a total of at least ten years, been judges of any court of Quebec or of any court established by the Parliament of Canada, or members of the bar of Quebec.

Names may  
be submitted

**101C.** (1) Where a vacancy occurs in the Supreme Court of Canada, the government of each province may, in relation to that vacancy, submit to the Minister of Justice of Canada the names of any of the persons who have been admitted to the bar of that province and are qualified under section 101B for appointment to that court.

Appointment  
from names  
submitted

(2) Where an appointment is made to the Supreme Court of Canada, the Governor General in Council shall, except

where the Chief Justice is appointed from among members of the Court, appoint a person whose name has been submitted under subsection (1) and who is acceptable to the Queen's Privy Council for Canada.

Appointment  
from Quebec

(3) Where an appointment is made in accordance with subsection (2) of any of the three judges necessary to meet the requirement set out in subsection 101B(2), the Governor General in Council shall appoint a person whose name has been submitted by the Government of Quebec.

Appointment  
from other  
provinces

(4) Where an appointment is made in accordance with subsection (2) otherwise than as required under subsection (3), the Governor General in Council shall appoint a person whose name has been submitted by the government of a province other than Quebec.

Tenure,  
salaries, etc.  
of judges

**101D.** Sections 99 and 100 apply in respect of the judges of the Supreme Court of Canada.

Relationship  
to section 101

**101E.** (1) Sections 101A to 101D shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws under section 101 except to the extent that such laws are inconsistent with those sections.

References  
to the  
Supreme  
Court of  
Canada

(2) For greater certainty, section 101A shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws relating to the reference of questions of law or fact, or any other matters, to the Supreme Court of Canada."

7. The said Act is further amended by adding thereto, immediately after section 106 thereof, the following section:

Shared-cost  
program

**"106A.** (1) The Government of Canada shall provide reasonable compensation to the government of a province that chooses not to participate in a national shared-cost program that is established by the Government of Canada after the coming into force of this section in an area of exclusive provincial jurisdiction, if the province carries on a program or initiative that is compatible with the national objectives.

Legislative  
power not  
extended

(2) Nothing in this section extends the legislative powers of the Parliament of Canada or of the legislatures of the provinces."

8. The said Act is further amended by adding thereto the following heading and sections:

“XII — CONFERENCES ON THE ECONOMY AND OTHER  
MATTERS

Conferences  
on the  
economy and  
other matters

**148.** A conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year to discuss the state of Canadian economy and such other matters as may be appropriate.

XIII — REFERENCES

Reference  
includes  
amendments

**149.** A reference to this Act shall be deemed to include a reference to any amendments thereto.”

*Constitution Act, 1982*

**9.** Sections 40 to 42 of the *Constitution Act, 1982* are repealed and the following substituted therefor:

Compensation

“**40.** Where an amendment is made under subsection 38(1) that transfers legislative powers from provincial legislatures to Parliament, Canada shall provide reasonable compensation to any province to which the amendment does not apply.

Amendment  
by  
unanimous  
consent

**41.** An amendment to the Constitution of Canada in relation to the following matters may be made by proclamation issued by the Governor General under the Great Seal of Canada only where authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province:

(a) the office of the Queen, the Governor General and the Lieutenant Governor of a province;

(b) the powers of the Senate and the method of selecting Senators;

(c) the number of members by which a province is entitled to be represented in the Senate and the residence qualifications of Senators;

(d) the right of a province to a number of members in the House of Commons not less than the number of Senators by which the province was entitled to be represented on April 17, 1982;

(e) the principle of proportionate representation of the provinces in the House of Commons prescribed by the Constitution of Canada;

(f) subject to section 43, the use of the English or the French language;



(g) the Supreme Court of Canada;

(h) the extension of existing provinces into the territories;

(i) notwithstanding any other law or practice, the establishment of new provinces; and

(j) an amendment to this Part.”

**10.** Section 44 of the said Act is repealed and the following substituted therefor:

Amendments  
by  
Parliament

“**44.** Subject to section 41, Parliament may exclusively make laws amending the Constitution of Canada in relation to the executive government of Canada or the Senate and House of Commons.”

**11.** Subsection 46(1) of the said Act is repealed and the following substituted therefor:

Initiation of  
amendment  
procedures

“**46.** (1) The procedures for amendment under sections 38, 41 and 43 may be initiated either by the Senate or the House of Commons or by the legislative assembly of a province.”

**12.** Subsection 47(1) of the said Act is repealed and the following substituted therefor:

Amendments  
without  
Senate  
resolution

“**47.** (1) An amendment to the Constitution of Canada made by proclamation under section 38, 41 or 43 may be made without a resolution of the Senate authorizing the issue of the proclamation if, within one hundred and eighty days after the adoption by the House of Commons of a resolution authorizing its issue, the Senate has not adopted such a resolution and if, at any time after the expiration of that period, the House of Commons again adopts the resolution.”

**13.** Part VI of the said Act is repealed and the following substituted therefor:

#### “PART VI

#### CONSTITUTIONAL CONFERENCES

Constitu-  
tional  
conference

**50.** (1) A constitutional conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year, commencing in 1988.

Agenda

(2) The conferences convened under subsection (1) shall have included on their agenda the following matters:

(a) Senate reform, including the role and functions of the Senate, its powers, the method of selecting Senators and representation in the Senate;

(b) roles and responsibilities in relation to fisheries; and

(c) such other matters as are agreed upon.”

14. Subsection 52(2) of the said Act is amended by striking out the word “and” at the end of paragraph (b) thereof, by adding the word “and” at the end of paragraph (c) thereof and by adding thereto the following paragraph:

“(d) any other amendment to the Constitution of Canada.”

15. Section 61 of the said Act is repealed and the following substituted therefor:

References

“61. A reference to the *Constitution Act, 1982*, or a reference to the *Constitution Acts 1867 to 1982*, shall be deemed to include a reference to any amendments thereto.”

*General*

Multicultural  
heritage and  
aboriginal  
people

16. Nothing in section 2 of the *Constitution Act, 1867* affects section 25 or 27 of the *Canadian Charter of Rights and Freedoms*, section 35 of the *Constitution Act, 1982* or class 24 of section 91 of the *Constitution Act, 1867*.

CITATION

Citation

17. This amendment may be cited as the *Constitution Amendment, 1987. November 24, 1987.*

M. Peterson—Résolution—

Attendu :

que la *Loi constitutionnelle de 1982* est entrée en vigueur le 17 avril 1982, à la suite d'un accord conclu entre le Canada et toutes les provinces, sauf le Québec;

que, selon le gouvernement du Québec, l'adoption de modifications visant à donner effet à ses cinq propositions de révision constitutionnelle permettrait au Québec de jouer pleinement de nouveau son rôle dans les instances constitutionnelles canadiennes;

que le projet de modification figurant en annexe présente les modalités d'un règlement relatif aux cinq propositions du Québec;

que le projet reconnaît le principe de l'égalité de toutes les provinces et prévoit, d'une part, de nouveaux arrangements propres à renforcer l'harmonie et la coopération entre le gouvernement du Canada et ceux des provinces, d'autre part la tenue de conférences consacrées à l'étude d'importantes questions constitutionnelles, économiques et autres;

que le projet porte en partie sur des questions visées à l'article 41 de la *Loi constitutionnelle de 1982*;

que cet article prévoit que la Constitution du Canada peut être modifiée par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de chaque province,

l'Assemblée législative de l'Ontario a résolu d'autoriser la modification de la Constitution du Canada par proclamation de Son Excellence le gouverneur général sous le grand sceau du Canada, en conformité avec l'annexe ci-jointe.

## ANNEXE

### MODIFICATION CONSTITUTIONNELLE DE 1987

#### *Loi constitutionnelle de 1867*

1. La *Loi constitutionnelle de 1867* est modifiée par insertion, après l'article 1, de ce qui suit:

Règle  
interprétative

«2. (1) Toute interprétation de la Constitution du Canada doit concorder avec :

a) la reconnaissance de ce que l'existence de Canadiens d'expression française, concentrés au Québec mais présents aussi dans le reste du pays, et de Canadiens d'expression anglaise, concentrés dans le reste du pays mais aussi présents au Québec, constitue une caractéristique fondamentale du Canada;

b) la reconnaissance de ce que le Québec forme au sein du Canada une société distincte.

Rôle du  
Parlement et  
des  
législatures

(2) Le Parlement du Canada et les législatures des provinces ont le rôle de protéger la caractéristique fondamentale du Canada visée à l'alinéa (1) a).

Rôle de la  
législature et  
du gouverne-  
ment du  
Québec

(3) La législature et le gouvernement du Québec ont le rôle de protéger et de promouvoir le caractère distinct du Québec visé à l'alinéa (1) b).

Maintien des  
droits des  
législatures et  
des gouverne-  
ments

(4) Le présent article n'a pas pour effet de déroger aux pouvoirs, droits ou privilèges du Parlement ou du gouvernement du Canada, ou des législatures ou des gouvernements des provinces, y compris à leurs pouvoirs, droits ou privilèges en matière de langue.»

2. La même loi est modifiée par insertion, après l'article 24, de ce qui suit :

Propositions

«25. (1) En cas de vacance au Sénat, le gouvernement de la province à représenter peut proposer au Conseil privé de la Reine pour le Canada des personnes susceptibles d'être nommées au siège vacant.

Choix des  
sénateurs

(2) Jusqu'à la modification, faite conformément à l'article 41 de la *Loi constitutionnelle de 1982*, de toute disposition de la Constitution du Canada relative au Sénat, les personnes nommées aux sièges vacants au Sénat sont choisies parmi celles qui ont été proposées par le gouvernement de la province à représenter et agréées par le Conseil privé de la Reine pour le Canada.»

3. La même loi est modifiée par insertion, après l'article 95, de ce qui suit :

*«Accords relatifs à l'immigration et aux aubains*

Engagement

95A. Sur demande du gouvernement d'une province, le gouvernement du Canada négocie avec lui en vue de conclure, en matière d'immigration ou d'admission temporaire des aubains dans la province, un accord adapté aux besoins et à la situation particulière de celle-ci.

Accords

95B. (1) Tout accord conclu entre le Canada et une province en matière d'immigration ou d'admission temporaire des aubains dans la province a, une fois faite la déclaration visée au paragraphe 95C(1), force de loi et a dès lors effet indépendamment tant du point 25 de l'article 91 que de l'article 95.



## Restriction

(2) L'accord ayant ainsi force de loi n'a d'effet que dans la mesure de sa compatibilité avec les dispositions des lois du Parlement du Canada qui fixent des normes et objectifs nationaux relatifs à l'immigration et aux aubains, notamment en ce qui concerne l'établissement des catégories générales d'immigrants, les niveaux d'immigration au Canada et la détermination des catégories de personnes inadmissibles au Canada.

Application  
de la Charte

(3) La *Charte canadienne des droits et libertés* s'applique aux accords ayant ainsi force de loi et à toute mesure prise sous leur régime par le Parlement ou le gouvernement du Canada ou par la législature ou le gouvernement d'une province.

Proclamation  
relative aux  
accords

**95C.** (1) La déclaration portant qu'un accord visé au paragraphe 95B(1) a force de loi se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord.

Modification  
des accords

(2) La modification d'un accord visé au paragraphe 95B(1) se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée :

*a)* soit par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord;

*b)* soit selon les modalités prévues dans l'accord même.

Application  
des articles  
46 à 48 de la  
*Loi constitutionnelle de 1982*

**95D.** Les articles 46 à 48 de la *Loi constitutionnelle de 1982* s'appliquent, avec les adaptations nécessaires, à toute déclaration faite aux termes du paragraphe 95C(1), à toute modification d'un accord faite aux termes du paragraphe 95C(2) ou à toute modification faite aux termes de l'article 95E.

Modification  
des articles  
95A à 95D ou  
du présent  
article

**95E.** Les articles 95A à 95D ou le présent article peuvent être modifiés conformément au paragraphe 38(1) de la *Loi constitutionnelle de 1982*, à condition que la modification soit autorisée par des résolutions des assemblées législatives de toutes les provinces qui sont, à l'époque de celle-ci, parties à un accord ayant force de loi aux termes du paragraphe 95B(1).»

**4.** La même loi est modifiée par insertion, avant l'article 96, de ce qui suit :

## «Dispositions générales»

**5.** La même loi est modifiée par insertion, avant l'article 101, de ce qui suit :

*«Tribunaux créés par le Parlement du Canada»*

6. La même loi est modifiée par insertion, après l'article 101, de ce qui suit :

*«Cour suprême du Canada*

Maintien de  
la Cour  
suprême  
du Canada

**101A.** (1) La cour qui existe sous le nom de Cour suprême du Canada est maintenue à titre de cour générale d'appel pour le Canada et de cour additionnelle propre à améliorer l'application des lois du Canada. Elle conserve ses attributions de cour supérieure d'archives.

Composition

(2) La Cour suprême du Canada se compose du juge en chef, appelé juge en chef du Canada, et de huit autres juges, que nomme le gouverneur général en conseil par lettres patentes sous le grand sceau.

Conditions  
de  
nomination

**101B.** (1) Les juges sont choisis parmi les personnes qui, après avoir été admises au barreau d'une province ou d'un territoire, ont, pendant au moins dix ans au total, été juges de n'importe quel tribunal du pays ou inscrites au barreau de n'importe quelle province ou de n'importe quel territoire.

Québec :  
trois juges

(2) Au moins trois des juges sont choisis parmi les personnes qui, après avoir été admises au barreau du Québec, ont, pendant au moins dix ans au total, été inscrites à ce barreau ou juges d'un tribunal du Québec ou d'un tribunal créé par le Parlement du Canada.

Propositions  
de  
nomination

**101C.** (1) En cas de vacance à la Cour suprême du Canada, le gouvernement de chaque province peut proposer au ministre fédéral de la Justice, pour la charge devenue vacante, des personnes admises au barreau de cette province et remplissant les conditions visées à l'article 101B.

Nomination  
parmi les  
personnes  
proposées

(2) Le gouverneur général en conseil procède aux nominations parmi les personnes proposées et qui agréent au Conseil privé de la Reine pour le Canada; le présent paragraphe ne s'applique pas à la nomination du juge en chef dans les cas où il est choisi parmi les juges de la Cour suprême du Canada.

Nomination  
parmi les  
personnes  
proposées  
par le  
Québec

(3) Dans le cas de chacune de trois nominations à faire conformément au paragraphe 101B(2), le gouverneur général en conseil nomme une personne proposée par le gouvernement du Québec.

Nomination  
parmi les  
personnes  
proposées  
par les autres  
provinces

(4) Dans le cas de toute autre nomination, le gouverneur général en conseil nomme une personne proposée par le gouvernement d'une autre province que le Québec.

Inamovibilité,  
traitement,  
etc.

**101D.** Les articles 99 et 100 s'appliquent aux juges de la Cour suprême du Canada.

Rapport avec  
l'article 101

**101E.** (1) Sous réserve que ne soient pas adoptées, dans les matières visées à l'article 101, de dispositions incompatibles avec les articles 101A à 101D, ceux-ci n'ont pas pour effet de porter atteinte à la compétence législative conférée au Parlement du Canada en ces matières.

Renvois à la  
Cour  
suprême du  
Canada

(2) Il est entendu que l'article 101A n'a pas pour effet de porter atteinte à la compétence législative du Parlement du Canada en ce qui concerne le renvoi à la Cour suprême du Canada de questions de droit ou de fait, ou de toute autre question.»

7. La même loi est modifiée par insertion, après l'article 106, de ce qui suit :

Programmes  
cofinancés

«**106A.** (1) Le gouvernement du Canada fournit une juste compensation au gouvernement d'une province qui choisit de ne pas participer à un programme national cofinancé qu'il établit après l'entrée en vigueur du présent article dans un secteur de compétence exclusive provinciale, si la province applique un programme ou une mesure compatible avec les objectifs nationaux.

Non-élargis-  
sment des  
compétences  
législatives

(2) Le présent article n'élargit pas les compétences législatives du Parlement du Canada ou des législatures des provinces.»

8. La même loi est modifiée par insertion, après l'article 147, de ce qui suit :

#### «XII. — CONFÉRENCES SUR L'ÉCONOMIE ET SUR D'AUTRES QUESTIONS

Convocation

**148.** Le premier ministre du Canada convoque au moins une fois par an une conférence réunissant les premiers ministres provinciaux et lui-même et portant sur l'économie canadienne ainsi que sur toute autre question appropriée.

#### XIII. — MENTIONS

Présomption

**149.** Toute mention de la présente loi est réputée constituer également une mention de ses modifications.»

#### *Loi constitutionnelle de 1982*

9. Les articles 40 à 42 de la *Loi constitutionnelle de 1982* sont abrogés et remplacés par ce qui suit :

Compen-  
sation

«40. Le Canada fournit une juste compensation aux provinces auxquelles ne s'applique pas une modification faite conformément au paragraphe 38(1) et relative à un transfert de compétences législatives provinciales au Parlement.

Consente-  
ment  
unanime

41. Toute modification de la Constitution du Canada portant sur les questions suivantes se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de chaque province :

a) la charge de Reine, celle de gouverneur général et celle de lieutenant-gouverneur;

b) les pouvoirs du Sénat et le mode de sélection des sénateurs;

c) le nombre des sénateurs par lesquels une province est habilitée à être représentée et les conditions de résidence qu'ils doivent remplir;

d) le droit d'une province d'avoir à la Chambre des communes un nombre de députés au moins égal à celui des sénateurs par lesquels elle était habilitée à être représentée le 17 avril 1982;

e) le principe de la représentation proportionnelle des provinces à la Chambre des communes prévu par la Constitution du Canada;

f) sous réserve de l'article 43, l'usage du français ou de l'anglais;

g) la Cour suprême du Canada;

h) le rattachement aux provinces existantes de tout ou partie des territoires;

i) par dérogation à toute autre loi ou usage, la création de provinces;

j) la modification de la présente partie.»

10. L'article 44 de la même loi est abrogé et remplacé par ce qui suit :

Modification  
par le  
Parlement

«44. Sous réserve de l'article 41, le Parlement a compétence exclusive pour modifier les dispositions de la Constitution du Canada relatives au pouvoir exécutif fédéral, au Sénat ou à la Chambre des communes.»



**11.** Le paragraphe 46(1) de la même loi est abrogé et remplacé par ce qui suit :

Initiative des  
procédures

«**46.** (1) L'initiative des procédures de modification visées aux articles 38, 41 et 43 appartient au Sénat, à la Chambre des communes ou à une assemblée législative.»

**12.** Le paragraphe 47(1) de la même loi est abrogé et remplacé par ce qui suit :

Modification  
sans  
résolution du  
Sénat

«**47.**(1) Dans les cas visés à l'article 38, 41 ou 43, il peut être passé outre au défaut d'autorisation du Sénat si celui-ci n'a pas adopté de résolution dans un délai de cent quatre-vingts jours suivant l'adoption de celle de la Chambre des communes et si cette dernière, après l'expiration du délai, adopte une nouvelle résolution dans le même sens.»

**13.** La partie VI de la même loi est abrogée et remplacée par ce qui suit :

#### «PARTIE VI

#### CONFÉRENCES CONSTITUTIONNELLES

Convocation

**50.** (1) Le premier ministre du Canada convoque au moins une fois par an une conférence constitutionnelle réunissant les premiers ministres provinciaux et lui-même, la première devant avoir lieu en 1988.

Ordre du  
jour

(2) Sont placées à l'ordre du jour de ces conférences les questions suivantes :

a) la réforme du Sénat, y compris son rôle et ses fonctions, ses pouvoirs, le mode de sélection des sénateurs et la représentation au Sénat;

b) les rôles et les responsabilités en matière de pêches;

c) toutes autres questions dont il est convenu.»

**14.** Le paragraphe 52(2) de la même loi est modifié par adjonction de ce qui suit :

«d) les autres modifications qui lui sont apportées.»

**15.** L'article 61 de la même loi est abrogé et remplacé par ce qui suit :

Mentions

«**61.** Toute mention de la *Loi constitutionnelle de 1982* ou des *Lois constitutionnelles de 1867 à 1982* est réputée constituer également une mention de leurs modifications.»

*Dispositions générales*

atrimoine  
multiculturel  
et peuples  
autochtones

16. L'article 2 de la *Loi constitutionnelle de 1867* n'a pas pour effet de porter atteinte aux articles 25 ou 27 de la *Charte canadienne des droits et libertés*, à l'article 35 de la *Loi constitutionnelle de 1982* ou au point 24 de l'article 91 de la *Loi constitutionnelle de 1867*.

TITRE

Titre

17. Titre de la présente modification : *Modification constitutionnelle de 1987. Le 24 novembre 1987.*

9. *Debated April 7, 11 and 12, 1988.*
10. *Mr Conway—Resolution—That the 1987-1988 Estimates and Supplementary Estimates which have not yet been passed by the committees and reported to the House be deemed to be passed and reported to the House, and that the 1987-1988 Estimates and Supplementary Estimates be deemed to be concurred in. April 7, 1988.*

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**MOTION OF NON CONFIDENCE  
UNDER STANDING ORDER 70 (a)**

1. *Mr Rae (York South)—Notice—That the Government lacks the confidence of this House because of its abject failure to provide decent, affordable housing for the working families of Ontario—in particular, through its failure to increase the supply of affordable housing; through its failure to protect the existing housing stock; and through its failure to protect tenants. April 11, 1988.*
-

## PRIVATE MEMBERS' MOTIONS

1. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that huge rent increases year after year are constituting a threat to the competitiveness and survival of retail business in commercial strips serving residential neighbourhoods, the Government of Ontario should introduce legislation as soon as possible to regulate the rents for such business establishments in order to provide those businesses with protection from gouging landlords comparable to the protection given to tenants of residential rental premises under the Residential Rent Regulation Act, 1986. *November 10, 1987.*
2. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that part-time workers in both the public and private sector are discriminated against by the denial of many benefits and rights provided to other workers in the same establishment, a charter of rights for part-time workers should be added to both the Employment Standards Act and the Labour Relations Act to provide pro rata benefits and collective bargaining rights to such workers and that they be made eligible for severance pay and retraining and readjustment programs provided for other workers displaced by technological change in the same establishment. *November 10, 1987.*
4. *Mr Morin-Strom*—Resolution—That, in the opinion of this House, recognizing the importance of the TransCanada Highway to our nation and to our province, the government of Ontario should upgrade the TransCanada Highway to a modern four-lane system through Northern Ontario to the Manitoba border, and that the government should immediately commence design and schedule construction to ensure completion across Northern Ontario by 1997. *November 18, 1987.*
9. *Mr Wildman*—Resolution—That, in the opinion of this House, the plans of the Canada Post Corporation to close, amalgamate or franchise many rural post offices and to eliminate or tender rural route services in order to reduce its operating deficit would reduce essential mail services from many rural Ontario communities, causing severe hardship and inconvenience to rural Ontarians, particularly the elderly and disabled; the Government of Ontario should urge the Government of Canada to halt, immediately, these plans to cut service and maintain and improve rural postal services across Ontario. *December 8, 1987.*
10. *Mr Swart*—Resolution—That, in the opinion of this House, recognizing the particular desirability of the protection of consumers of bereavement services from the business practices associated with corporate concentration and the desirability of fostering and encouraging the small business sector in Ontario, the Government of Ontario should introduce legislation as soon as possible to further regulate the bereavement industry to ensure the following:
  1. That a Board of Bereavement Services, composed of representatives of the public and the various sectors and sub-sectors of the bereavement services industry, be constituted to make recommendations to



the Minister of Consumer and Commercial Relations and the Minister of Health on further reforms of the regulation of bereavement services and to act as the licensing and regulating body for funeral directors, funeral service establishments, cemeterians, cemeteries, monument builders and monument building firms;

2. That the bereavement services industry be divided into three sectors, consisting of cemeteries, funeral services and monument builders and that no proprietor, partnership or corporate entity be allowed to offer services in more than one of these sectors and that any operator who currently offers services in more than one of the sectors be allowed five years to divest itself of operations in more than one sector and where one corporate entity owns more than twenty-five per cent of the shares in other corporate entities operating in more than one of the sectors, relations between such entities shall be at arm's length;
  3. That funeral service establishments may act as agents for monument building firms in rural areas where the Board of Bereavement Services establishes that a consumer need exists and where there is no monument building firm willing to establish in such rural areas;
  4. That the ownership of any proprietorship, partnership or corporate entity involved in the provision of bereavement services must be fully disclosed to the public, including the names of all shareholders in a corporate entity who hold more than ten per cent of the shares in such entity;
  5. That no funeral service facility be allowed on the grounds of, or adjoining the grounds of, a cemetery;
  6. That for the purpose of provincial business and corporate income taxation, as well as for the purpose of municipal property taxation, cemeteries be categorized as either non-profit or commercial and that those categorized as non-profit be exempt from income and property tax and those categorized as commercial be subject to income taxation and to property taxation on all lands less each grave space occupied by a deceased person;
  7. That funeral services be sold only by a licensed funeral director through a licensed funeral service establishment, cemetery services be sold only by a licensed cemeterian through a licensed cemetery and upright monument services be sold only by a licensed monument builder through a licensed monument building firm; and
  8. That there be no telephone or door-to-door solicitation of funeral, cemetery or monument services. *December 14, 1987.*
12. *Mr Runciman*—Resolution—That, in the opinion of this House, recognizing that there have been twenty-eight bank branch closures across Ontario between 1982 and 1986 which have left many small communities without adequate banking services, the Government of Ontario should review all requests for satellite banking services and establish Province of Ontario



Savings Offices in those areas where population levels demonstrate a need for them and where financial benefit can be determined. *December 15, 1987.*

13. *Mr Sterling*—Resolution—That, in the opinion of this House, recognizing the devastating and lethal impact of tobacco on the health of our citizenry, and recognizing the tobacco industry's attempt to advertise in a manner designed to undermine the health warnings of its hazardous product, the Government of Ontario should pursue every opportunity to express its support for the Federal Government's initiative, Bill C-51, the *Tobacco Products Control Act*, An Act to prohibit the advertising and promotion and respecting the labelling and monitoring of tobacco products. *December 15, 1987.*
16. *Miss Martel*—Resolution—That, in the opinion of this House, this Legislature condemns the Government of Ontario for its failure to establish the Northern Ontario Heritage Fund as outlined in the Budget of May 20, 1987 and in the Speech from the Throne of November 3, 1987 therefore this Legislature strongly urges the Government to:
  - immediately establish the Northern Ontario Heritage Fund;
  - ensure that Northerners, through committees representing Northern communities, labour, Native groups, women's groups and local small businesses, control the disbursement of the Fund; and
  - provide substantial funding to help ensure long-term economic growth and diversification of the region. *April 5, 1988.*
17. *Mr Kanter*—Resolution—That, in the opinion of this House, recognizing that organ transplants constitute a cost efficient medical practice that has saved lives and improved the quality of life for thousands of Ontario residents, and recognizing further that hundreds of Ontario residents wait desperately for organs that could give them a second chance at life, physicians should therefore be reminded, through their routine procedures, to consider whether a person who dies in a public hospital is a suitable organ donor and whether it is appropriate to approach the family of the deceased for consent to the transplant of any of the organs of the deceased, therefore the Government should amend the regulations under the *Public Hospitals Act* to require every public hospital to include questions similar to the following in any form required by the hospital to be completed by a physician to record the death of a patient in the hospital:
  1. Has the patient been considered as an organ donor.
  2. Are the wishes of the patient regarding donation of his or her organs known.
  3. Are the wishes of the patient's family regarding the donation of the patient's organs known.

4. (a) Has consent for organ or tissue donation been obtained.

(b) If so, what organs or tissue have been donated. *April 5, 1988.*

19. *Mr Swart*—Resolution—That, in the opinion of this House, recognizing the need for the expansion of hospital beds and related facilities in scores of communities across the province, and given the undesirability of using the regressive property tax system for funding such construction or renovation, the Lieutenant Governor-in-Council should amend Ontario Regulation 859 under the Public Hospitals Act which now limits provincial contributions to a ceiling of two thirds (five sixths on the North)—a ceiling seldom reached—to allow the provincial contribution to be 100% of the costs. *April 7, 1988.*

20. *Mr Cooke* (Windsor-Riverside)—Resolution—That, in the opinion of this House, recognizing that the scope and recommendations of the Task Force on Inflation Protection for Employment Pension Plans failed to meet the concerns of workers and most particularly retirees whose pensions have already been eroded by inflation but who will get nothing from these proposals, this Legislature strongly urges the Government of Ontario to:

— introduce legislation to require indexation of all pensions with the same indexing formula applicable to current plan members, current pensioners and those entitled to a deferred pension.

— place an immediate moratorium on the use of contribution holidays which are, in fact just another means of surplus withdrawals. *April 13, 1988.*

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## QUESTIONS

*(Questions are to appear on the day after they are tabled and on every subsequent day in the week they are tabled and then subsequently only on each Monday until an Answer (other than an Interim Answer) is tabled. A question tabled on a Thursday will appear on each day of the following week.)*

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101. *Mr Cooke (Windsor-Riverside)*—Enquiry of the Ministry—Would the Chairman of Management Board of Cabinet provide the House with a list of all communities in Ontario where provincial government jobs are located, the number of provincial government employees in each of these communities and which ministry of government they work for. *April 7, 1988.*
102. *Mr Wiseman*—Enquiry of the Ministry—Would the Minister of Health provide the following information: since June of 1985 how much money has been allocated annually to both private and non-profit nursing homes. As well, please provide the number of beds which have been opened up in both types of institutions. *April 13, 1988.*
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## PRIVATE MEMBERS' BUSINESS TO BE DEBATED

*(Precedence in accordance with the Standing Order 71 (d).)*

Ballot Item No. 13—*To be debated on Thursday, April 14, 1988.*

*Mr. Kanter*—Resolution—That, in the opinion of this House, recognizing that organ transplants constitute a cost efficient medical practice that has saved lives and improved the quality of life for thousands of Ontario residents, and recognizing further that hundreds of Ontario residents wait desperately for organs that could give them a second chance at life, physicians should therefore be reminded, through their routine procedures, to consider whether a person who dies in a public hospital is a suitable organ donor and whether it is appropriate to approach the family of the deceased for consent to the transplant of any of the organs of the deceased, therefore the Government should amend the regulations under the *Public Hospitals Act* to require every public hospital to include questions similar to the following in any form required by the hospital to be completed by a physician to record the death of a patient in the hospital:

1. Has the patient been considered as an organ donor.
2. Are the wishes of the patient regarding donation of his or her organs known.
3. Are the wishes of the patient's family regarding the donation of the patient's organs known.
4. (a) Has consent for organ or tissue donation been obtained.  
(b) If so, what organs or tissue have been donated.

Ballot Item No. 14—*To be debated on Thursday, April 14, 1988.*

*Miss Martel*—Resolution—That, in the opinion of this House, this Legislature condemns the Government of Ontario for its failure to establish the Northern Ontario Heritage Fund as outlined in the Budget of May 20, 1987 and in the Speech from the Throne of November 3, 1987 therefore this Legislature strongly urges the Government to:

- immediately establish the Northern Ontario Heritage Fund;
- ensure that Northerners, through committees representing Northern communities, labour, Native groups, women's groups and local small businesses, control the disbursement of the Fund; and
- provide substantial funding to help ensure long-term economic growth and diversification of the region.

Ballot Item No. 17—*To be debated on Thursday, April 28, 1988.*

*Mr Cooke* (Windsor-Riverside)—Resolution—That, in the opinion of this House, recognizing that the scope and recommendations of the Task Force on



Inflation Protection for Employment Pension Plans failed to meet the concerns of workers and most particularly retirees whose pensions have already been eroded by inflation but who will get nothing from these proposals, this Legislature strongly urges the Government of Ontario to:

- introduce legislation to require indexation of all pensions with the same indexing formula applicable to current plan members, current pensioners and those entitled to a deferred pension.
  - place an immediate moratorium on the use of contribution holidays which are, in fact just another means of surplus withdrawals.
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## BILLS REFERRED TO STANDING COMMITTEES

### STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Bill Pr1, An Act respecting Canada Christian College and School of Graduate Theological Studies. *Mr Allen. (Referred November 18, 1987.)*

Bill Pr2, An Act to revive Big Cedar Association. *Mr Owen. (Referred February 8, 1988.)*

Bill Pr4, An Act respecting The Ottawa Civil Service Recreational Association. *Mr Chiarelli. (Referred November 16, 1987.)*

Bill Pr5, An Act respecting The Chartered Institute of Marketing Management of Ontario. *Ms Hart. (Referred February 8, 1988.)*

Bill Pr7, An Act respecting the Driving School Association of Ontario. *Mr Ferraro. (Referred November 9, 1987.)*

Bill Pr10, An Act respecting the Oshawa Public Utilities Commission. *Mr Breaugh. (Referred December 3, 1987.)*

Bill Pr11, An Act to revive L F P Management Limited. *Mrs Fawcett. (Referred April 12, 1988.)*

Bill Pr16, An Act respecting the City of Toronto. *Mr Kanter. (Referred December 8, 1987.)*

Bill Pr19, An Act respecting the City of Sudbury. *Mr Campbell. (Referred April 12, 1988.)*

Bill Pr22, An Act respecting the City of Mississauga. *Mr Offer. (Referred December 17, 1987.)*

Bill Pr24, An Act respecting the Hamilton Civic Hospitals. *Ms Collins. (Referred December 7, 1987.)*

Bill Pr25, An Act respecting Kingsway General Insurance Company. *Mr Cousens. (Referred December 9, 1987.)*

Bill Pr27, An Act respecting the Ontario Municipal Management Institute. *Mr Campbell. (Referred December 22, 1987.)*

Bill Pr28, An Act to revive Mid-Continent Bond Corporation, Limited. *Mr Ray (Windsor-Walkerville). (Referred April 6, 1988.)*

Bill Pr29, An Act respecting The United Church of Canada and The Canada Conference The Evangelical United Brethren Church. *Mr Epp. (Referred February 8, 1988.)*

Bill Pr30, An Act respecting The General Hospital of Port Arthur. *Mr Kozyra. (Referred December 3, 1987.)*

Bill Pr34, An Act to revive Machin Mines Limited. *Mr Kanter. (Referred February 9, 1988.)*

Bill Pr37, An Act respecting the University of Western Ontario. *Mr Reycraft. (Referred December 22, 1987.)*

Bill Pr38, An Act to revive Prow Yellowknife Gold Mines Ltd. *Mr Kanter. (Referred February 9, 1988.)*

Bill Pr40, An Act respecting the City of Trenton. *Mrs Fawcett. (Referred April 12, 1988.)*

Bill Pr49, An Act to revive Lebon Gold Mines Limited. *Mr Kanter. (Referred February 8, 1988.)*

Bill Pr56, An Act respecting the City of Toronto. *Mr Kanter. (Referred November 30, 1987.)*

Bill Pr62, An Act respecting The Windsor Utilities Commission. *Mr Ray (Windsor-Walkerville). (Referred December 21, 1987.)*

Bill Pr67, An Act respecting the City of Hamilton. *Mr Charlton. (Referred December 3, 1987.)*

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## STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Bill 13, An Act respecting Environmental Rights in Ontario. *Mrs Grier. (Referred December 10, 1987.)*

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## STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Bill 50, An Act to provide for Community Mental Health Services. *Mr Reville. (Referred December 17, 1987.)*

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## MATTERS REFERRED TO SELECT COMMITTEES

### SELECT COMMITTEE ON EDUCATION

Consider and report on the role of the formal elementary and secondary school system in the successful transition of young students to adulthood in Ontario. *(Referred by Order of the House on February 11, 1988.)*

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## SELECT COMMITTEE ON ENERGY

Consider and report on Ontario Hydro Affairs. (*Referred by Order of the House on February 11, 1988.*)

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## SELECT COMMITTEE ON CONSTITUTIONAL REFORM

Consider and report on the 1987 Constitutional Accord (Sessional Paper No. 74), and matters related thereto. (*Referred by Order of the House on November 30, 1987.*)

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## MATTERS REFERRED TO STANDING COMMITTEES

(*In accordance with the Standing Orders, statutory annual reports of each ministry and of all agencies, boards and commissions reporting to each Minister for the immediate past reporting period stand permanently referred to the appropriate Standing Committees.*)

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## STANDING COMMITTEE ON FINANCE AND ECONOMIC AFFAIRS

Consider and report on the Canada-U.S. Free Trade Agreement (Sessional Paper Number 108). (*Referred by Order of the House on January 7, 1988.*)

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## STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Consider and report on Safety in Ontario Mines. (*Referred by Order of the House on January 7, 1988.*)

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## COMMITTEE MEETINGS

The Standing Committee on Finance and Economic Affairs will meet to consider the Free Trade Agreement as follows:

Thursday, 14 April	10.30 a.m.	Room No. 1
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The Standing Committee on Government Agencies will meet as follows:

Today	10.00 a.m.	Room No. 228
to review the Ontario Food Terminal Board		

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The Standing Committee on the Legislative Assembly will meet as follows:

Today	3.30 p.m.	Room No. 228
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The Standing Committee on the Ombudsman will meet as follows:

Today	10.00 a.m.	Room No. 2
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The Standing Committee on Public Accounts will meet to review the 1987 Annual Report of the Provincial Auditor as follows:

Thursday, 14 April	10.00 a.m.	Room No. 151
Section 2.2		
The Estimates Process—Maligned and Ineffective		

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The Standing Committee on Regulations and Private Bills will meet to consider Bill Pr22, An Act respecting the City of Mississauga; Bill Pr10, An Act respecting the Oshawa Public Utilities Commission; and Bill Pr62, An Act respecting The Windsor Public Utilities Commission as follows:

Today	10.00 a.m.	Room No. 1
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The Standing Committee on Resources Development will meet to consider accidents and fatalities in Ontario mines as follows:

Thursday, 14 April	following Routine Proceedings	Room No. 1
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The Select Committee on Constitutional Reform will meet as follows:

Today	9.30 a.m. and following R.P.	Room No. 151
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The Select Committee on Education will meet for the purpose of organization as follows:

Today	following Routine Proceedings	Room No. 2
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## ESTIMATES

TOTAL HOURS FOR CONSIDERATION OF  
ALL ESTIMATES ..... 381 hrs., 30 mins.

### IN COMMITTEE OF SUPPLY

(Estimates to be taken in order shown)

1. Lieutenant Governor,  
Premier and Cabinet Office ..... 7 hrs., 30 mins.
2. Government Services ..... 7 hrs., 30 mins.  
(Includes supplementaries, Number 2)‡
3. Intergovernmental Affairs ..... 7 hrs., 30 mins.
4. Management Board of Cabinet ..... 7 hrs., 30 mins.
5. Revenue ..... 7 hrs., 30 mins.  
(Includes supplementaries, Number 1)†
6. Francophone Affairs ..... 7 hrs., 30 mins.

### IN STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

(Estimates to be taken in order shown)

1. Treasury and Economics ..... (Completed Tuesday, December 8, 1987)
2. Energy ..... 5 hrs., 54 mins.  
(Includes supplementaries, Number 1)†  
(Adjourned at Vote 1301, Item 1)
3. Attorney General ..... 7 hrs., 30 mins.  
(Includes supplementaries, Number 1)†  
(Includes supplementaries, Number 2)‡
4. Consumer and Commercial Relations ..... 7 hrs., 30 mins.  
(Includes supplementaries, Number 1)†
5. Correctional Services ..... 7 hrs., 30 mins.
6. Financial Institutions ..... 7 hrs., 30 mins.
7. Office Responsible for  
Native Affairs ..... 7 hrs., 30 mins.
8. Solicitor General ..... 7 hrs., 30 mins.

†Supplementary Estimates Number 1 Tabled December 17, 1987.

‡Supplementary Estimates Number 2 Tabled February 9, 1988.

## IN STANDING COMMITTEE ON GENERAL GOVERNMENT

(Estimates to be taken in order shown)

1. Labour ..... 3 hrs., 06 mins.  
(Adjourned at Vote 2101, Item 1)
2. Northern Development ..... 7 hrs., 30 mins.
3. Office Responsible for  
Women's Issues ..... 7 hrs., 30 mins.

## IN STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

(Estimates to be taken in order shown)

1. Office of the Assembly ..... 5 hrs.  
(Includes supplementaries, Number 1)†
2. Office of the  
Chief Election Officer ..... 5 hrs.

## IN STANDING COMMITTEE ON THE OMBUDSMAN

(Estimates to be taken in order shown)

1. Office of the Ombudsman ..... 5 hrs.  
(Includes supplementaries, Number 1)†

## IN STANDING COMMITTEE ON PUBLIC ACCOUNTS

(Estimates to be taken in order shown)

1. Office of the Provincial Auditor .. (Completed Thursday, December 17, 1987)

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†Supplementary Estimates Number 1 Tabled December 17, 1987.



## IN STANDING COMMITTEE ON RESOURCES DEVELOPMENT

(Estimates to be taken in order shown)

1. Industry, Trade and Technology . (*Completed Thursday, December 10, 1987*)
2. Housing ..... (*Completed Thursday, December 17, 1987*)
3. Environment ..... 7 hrs., 30 mins.  
(*Includes supplementaries, Number 1*)<sup>†</sup>
4. Agriculture and Food ..... 7 hrs., 30 mins.  
(*Includes supplementaries, Number 1*)<sup>†</sup>
5. Mines ..... 7 hrs., 30 mins.
6. Municipal Affairs ..... 7 hrs., 30 mins.  
(*Includes supplementaries, Number 1*)<sup>†</sup>  
(*Includes supplementaries, Number 2*)<sup>‡</sup>
7. Natural Resources ..... 7 hrs., 30 mins.  
(*Includes supplementaries, Number 1*)<sup>†</sup>
8. Tourism and Recreation ..... 7 hrs., 30 mins.
9. Transportation ..... 7 hrs., 30 mins.  
(*Includes supplementaries, Number 1*)<sup>†</sup>
10. Industry, Trade and Technology ..... —  
(*Supplementaries only, Number 2*)<sup>‡</sup>
11. Housing ..... —  
(*Supplementaries only, Number 2*)<sup>‡</sup>

<sup>†</sup>Supplementary Estimates Number 1 Tabled December 17, 1987.<sup>‡</sup>Supplementary Estimates Number 2 Tabled February 9, 1988.

## IN STANDING COMMITTEE ON SOCIAL DEVELOPMENT

(Estimates to be taken in order shown)

1. Skills Development ..... (Completed Thursday, December 10, 1987)
2. Office for Disabled Persons ..... (Completed Thursday, December 17, 1987)
3. Education ..... 7 hrs., 30 mins.  
(Includes supplementaries, Number 2)‡
4. Office Responsible for  
Senior Citizens' Affairs ..... 7 hrs., 30 mins.
5. Citizenship ..... 7 hrs., 30 mins.
6. Colleges and Universities ..... 7 hrs., 30 mins.  
(Includes supplementaries, Number 1)†
7. Community and Social Services ..... 7 hrs., 30 mins.  
(Includes supplementaries, Number 1)†  
(Includes supplementaries, Number 2)‡
8. Culture and Communications ..... 7 hrs., 30 mins.
9. Health ..... 7 hrs., 30 mins.  
(Includes supplementaries, Number 1)†  
(Includes supplementaries, Number 2)‡
10. Skills Development ..... —  
(Supplementaries only, Number 1)†
11. Office for Disabled Persons ..... —  
(Supplementaries only, Number 1)†

†Supplementary Estimates Number 1 Tabled December 17, 1987.

‡Supplementary Estimates Number 2 Tabled February 9, 1988.

# Orders and Notices

Legislative Assembly  
of the Province of Ontario



**1st Session, 34th Parliament**

Thursday, April 14, 1988

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## GOVERNMENT BILLS AND ORDERS

1. *Second Reading* Bill 4, An Act to amend the Metropolitan Toronto Police Force Complaints Act, 1984. *Mr Scott.* **PRINTED.**
2. *Second Reading* Bill 5, An Act to amend the Proceedings Against the Crown Act. *Mr Scott.* **PRINTED.**
3. *Second Reading* Bill 6, An Act to amend the Execution Act. *Mr Scott.* **PRINTED.**
4. *Second Reading* Bill 7, An Act to implement the Model Law on International Commercial Arbitration adopted by the United Nations Commission on International Trade Law. *Mr Scott.* **PRINTED.**

*Deuxième lecture* Projet de loi 7, Loi portant mise en application de la Loi type sur l'arbitrage commercial international adoptée par la Commission des Nations Unies pour le droit commercial international. *M. Scott.* **IMPRIMÉ.**

5. *Second Reading* Bill 9, An Act permitting Trustees and other Persons to dispose of South African investments. *Mr Scott.* **PRINTED.**

*Deuxième lecture* Projet de loi 9, Loi permettant aux fiduciaires et à d'autres personnes d'aliéner les placements sud-africains. *M. Scott.* **IMPRIMÉ.**

6. *Second Reading* Bill 15, An Act to amend the Barristers Act. *Mr Scott.* **PRINTED.**
7. *Second Reading* Bill 22, An Act to regulate Motor Vehicle Repairs. *Mr Wrye.* **PRINTED.**
8. *Second Reading* Bill 26, An Act to regulate Prepaid Services. *Mr Wrye.* **PRINTED.**
9. *Second Reading* Bill 27, An Act respecting Prearranged and Prepaid Funerals. *Mr Wrye.* **PRINTED.**
10. *Second Reading* Bill 28, An Act to amend the Funeral Services Act. *Mrs Caplan.* **PRINTED.**
11. *Second Reading* Bill 52, An Act to amend the Consumer Reporting Act. *Mr Wrye.* **PRINTED.**
12. *Second Reading* Bill 59, An Act to amend the Municipal Act and certain other Acts related to municipalities. *Mr Eakins.* **PRINTED.**
13. *Second Reading* Bill 66, An Act respecting Agricultural and Horticultural Organizations. *Mr Riddell.* **PRINTED.\***

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\*Lieutenant Governor's Recommendation received.



14. *Second Reading* Bill 68, An Act to promote the Conservation of Certain Land. *Mr Kerrio.* **PRINTED.**
  15. *Second Reading* Bill 69, An Act to amend the Education Act. *Mr Ward.* **PRINTED.**
  16. *Second Reading* Bill 70, An Act to amend the Education Act. *Mr Ward.* **PRINTED.**
  17. *Second Reading* Bill 76, An Act to amend the Education Act and certain other Acts related to Education. *Mr Ward.* **PRINTED.**
  18. *Second Reading* Bill 78, An Act respecting the Sale of Farm Implements. *Mr Riddell.* **PRINTED.**
  19. *Second Reading* Bill 82, An Act respecting Energy Efficiency. *Mr Wong.* **PRINTED.**
  20. *Second Reading* Bill 83, An Act respecting the Protection of Farm Practices. *Mr Riddell.* **PRINTED.**
  21. *Second Reading* Bill 84, An Act to amend the Corporations Tax Act. *Mr Grandmaître.* **PRINTED.\***
  22. *Second Reading* Bill 85, An Act to amend the Mining Tax Act. *Mr Grandmaître.* **PRINTED.\***
  23. *Second Reading* Bill 86, An Act to amend the Highway Traffic Act. *Mr Fulton.* **PRINTED.**
  24. *Second Reading* Bill 87, An Act to amend the Ontario Highway Transport Board Act. *Mr Fulton.* **PRINTED.**
  25. *Second Reading* Bill 88, An Act to regulate Truck Transportation. *Mr Fulton.* **PRINTED.**
  26. *Second Reading* Bill 90, An Act respecting the United Nations Convention on Contracts for the International Sale of Goods. *Mr Scott.* **PRINTED.**
- Deuxième lecture* Projet de loi 90, Loi concernant la Convention des Nations Unies sur les contrats de vente internationale de marchandises. *M. Scott.* **IMPRIMÉ.**
27. *Second Reading* Bill 93, An Act to revise the Justices of the Peace Act. *Mr Scott.* **PRINTED.**

*Deuxième lecture* Projet de loi 93, Loi portant révision de la Loi sur les juges de paix. *M. Scott.* **IMPRIMÉ.**

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\*Lieutenant Governor's Recommendation received.

28. *Second Reading* Bill 98, An Act to amend the Public Transportation and Highway Improvement Act. *Mr Fulton.* **PRINTED.**
  29. *Second Reading* Bill 99, An Act to amend the Ministry of Transportation and Communications Act. *Mr Fulton.* **PRINTED.**
  30. *Second Reading* Bill 100, An Act to amend the Education Act. *Mr Ward.* **PRINTED.**
  31. *Second Reading* Bill 101, An Act to repeal the Ministry of Transportation and Communications Creditors Payment Act. *Mr Fulton.* **PRINTED.**
  32. *Second Reading* Bill 102, An Act to amend the Construction Lien Act, 1983. *Mr Fulton.* **PRINTED.**
  33. *Second Reading* Bill 106, An Act to amend the Municipal Elections Act and the Municipal Act. *Mr Eakins.* **PRINTED.**
  34. *Second Reading* Bill 107, An Act to amend the Child and Family Services Act, 1984. *Mr Sweeney.* **PRINTED.**
  35. *Second Reading* Bill 108, An Act to amend the Rental Housing Protection Act, 1986. *Ms Hošek.* **PRINTED.**
  36. *Second Reading* Bill 109, An Act to establish a French-language School Board for The Regional Municipality of Ottawa-Carleton. *Mr Ward.*  
  
*Deuxième lecture* Projet de loi 109, Loi portant création d'un Conseil scolaire de langue française pour la municipalité régionale d'Ottawa-Carleton. *M. Ward.*
  37. *Resuming the Adjourned Debate* on the Motion for Adoption of the Recommendations contained in the Report of the Standing Committee on the Legislative Assembly on the Service of Process within the Precincts of the House.
  38. *Concurrence in Supply* for the Ministry of Treasury and Economics.
  39. *Concurrence in Supply* for the Ministry of Skills Development.
  40. *Concurrence in Supply* for the Ministry of Industry, Trade and Technology.
  41. *Concurrence in Supply* for the Office of the Provincial Auditor.
  42. *Concurrence in Supply* for the Office for Disabled Persons.
  43. *Concurrence in Supply* for the Ministry of Housing.
  44. *House in Committee of Supply.*
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## PRIVATE MEMBERS' PUBLIC BILLS AND ORDERS

### 45. *Committee of the Whole House:*

Bill 24, An Act to establish a Tourism Advisory Board. *Mr McLean.* **PRINTED.**

Bill 75, An Act to establish the Municipal Council Retirement Fund and to provide Retirement Allowances to Municipal Councillors. *Mr Cureatz.* **PRINTED.**

46. *Second Reading* Bill 3, An Act to protect the Public Health and Comfort and the Environment by Prohibiting and Controlling Smoking in Public Places. *Mr Sterling.* **PRINTED.**

47. *Second Reading* Bill 8, An Act to amend the Representation Act, 1986. *Mr Villeneuve.* **PRINTED.**

48. *Second Reading* Bill 10, An Act to amend the Election Act, 1984. *Mr Cousens.* **PRINTED.**

49. *Second Reading* Bill 12, An Act to ban Sunday racing and intertrack wagering at Greenwood Raceway and to change the composition and procedures of the Ontario Racing Commission. *Ms Bryden.* **PRINTED.**

50. *Second Reading* Bill 14, An Act to protect and enhance the Quality of Drinking Water in Ontario. *Mrs Grier.* **PRINTED.**

51. *Second Reading* Bill 16, An Act to encourage the Rehabilitation of Water Delivery Systems in Ontario. *Mrs Marland.* **PRINTED.**

52. *Second Reading* Bill 17, An Act to amend the Planning Act, 1983. *Mr Johnston (Scarborough West).* **PRINTED.**

53. *Second Reading* Bill 18, An Act to provide for the Conversion of Technologies and Skills used in the Nuclear Weapons Industry to Civilian Use. *Mr Johnston (Scarborough West).* **PRINTED.**

54. *Second Reading* Bill 23, An Act to proclaim 1995 as the 150th Anniversary of the arrival of Irish Immigrants in Canada. *Mr Pollock.* **PRINTED.**

55. *Second Reading* Bill 30, An Act to amend the Pension Benefits Act. *Mr Mackenzie.* **PRINTED.**

56. *Second Reading* Bill 31, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**

57. *Second Reading* Bill 32, An Act to provide for the Employment of Disabled Persons. *Mr Mackenzie.* **PRINTED.**

58. *Second Reading* Bill 33, An Act to amend the Education Act. *Mr Mackenzie.* **PRINTED.**

59. *Second Reading* Bill 34, An Act to amend the Employment Standards Act.  
*Mr Mackenzie.* PRINTED.
60. *Second Reading* Bill 35, An Act to amend the Public Vehicles Act. *Mr Mackenzie.* PRINTED.
61. *Second Reading* Bill 36, An Act to provide Political Rights for Public Servants. *Mr Mackenzie.* PRINTED.
62. *Second Reading* Bill 37, An Act to amend the Labour Relations Act. *Mr Mackenzie.* PRINTED.
63. *Second Reading* Bill 38, An Act to amend the Labour Relations Act. *Mr Mackenzie.* PRINTED.
64. *Second Reading* Bill 39, An Act to amend the Labour Relations Act. *Mr Mackenzie.* PRINTED.
65. *Second Reading* Bill 40, An Act to amend the Labour Relations Act. *Mr Mackenzie.* PRINTED.
66. *Second Reading* Bill 41, An Act to amend the Employment Standards Act.  
*Mr Mackenzie.* PRINTED.
67. *Second Reading* Bill 42, An Act to amend the Employment Standards Act.  
*Mr Mackenzie.* PRINTED.
68. *Second Reading* Bill 43, An Act to amend the Employment Standards Act.  
*Mr Mackenzie.* PRINTED.
69. *Second Reading* Bill 44, An Act to amend the Employment Standards Act.  
*Mr Mackenzie.* PRINTED.
70. *Second Reading* Bill 45, An Act to amend the Children's Law Reform Act.  
*Mr Cousens.* PRINTED.
71. *Second Reading* Bill 47, An Act to amend the Highway Traffic Act. *Mrs Grier.* PRINTED.
72. *Second Reading* Bill 48, An Act to amend the Police Act. *Mr Eves.*  
PRINTED.
73. *Second Reading* Bill 49, An Act to relieve Persons from Liability in respect of  
voluntary Emergency Medical and First Aid Services. *Mr Haggerty.*  
PRINTED.
74. *Second Reading* Bill 53, An Act to provide for the Safety and Welfare of  
Crown Witnesses in Certain Criminal Proceedings. *Mr Runciman.*  
PRINTED.
75. *Second Reading* Bill 57, An Act to amend the Energy Act. *Mr Wildman.*  
PRINTED.



76. *Second Reading* Bill 60, An Act respecting the Sale of Farm Machinery and Equipment in Ontario. *Mr Wildman.* **PRINTED.**
77. *Second Reading* Bill 62, An Act to amend the Health Protection and Promotion Act, 1983. *Mr Henderson.* **PRINTED.**
78. *Second Reading* Bill 63, An Act to amend the Laboratory and Specimen Collection Centre Licensing Act. *Mr Henderson.* **PRINTED.**
79. *Second Reading* Bill 64, An Act to amend the Health Insurance Act. *Mr Henderson.* **PRINTED.**
80. *Second Reading* Bill 67, An Act to establish the East/Central Ontario Recreational Trails Commission. *Mr Pollock.* **PRINTED.**
81. *Second Reading* Bill 71, An Act to amend the Occupational Health and Safety Act. *Mr Rae (York South).* **PRINTED.**
82. *Second Reading* Bill 72, An Act respecting Simcoe Day. *Mr McLean.* **PRINTED.**
83. *Second Reading* Bill 73, An Act to amend the Public Service Superannuation Act. *Mr McLean.* **PRINTED.**
84. *Second Reading* Bill 74, An Act to amend the Legislative Assembly Retirement Allowances Act. *Mr McLean.* **PRINTED.**
85. *Second Reading* Bill 89, An Act requiring municipalities to establish Programs for the Recycling of Garbage. *Mrs Marland.* **PRINTED.**
86. *Second Reading* Bill 91, An Act to amend the Election Act. *Mr Sterling.* **PRINTED.**
87. *Second Reading* Bill 92, An Act to prevent unjust enrichment through the Financial Exploitation of Crime. *Mr Wildman.* **PRINTED.**
88. *Second Reading* Bill 94, An Act to prohibit Discrimination by Municipalities against Unrelated Persons Occupying Residential Property. *Mr Jackson.* **PRINTED.**
89. *Second Reading* Bill 95, An Act to amend the Children's Law Reform Act. *Mr Henderson.* **PRINTED.**
90. *Second Reading* Bill 96, An Act to amend the Highway Traffic Act. *Mr Wildman.* **PRINTED.**
91. *Second Reading* Bill 97, An Act to amend Human Rights Code, 1981. *Mr Reville.* **PRINTED.**
92. *Second Reading* Bill 103, An Act respecting Living Wills. *Mr Cureatz.* **PRINTED.**

93. *Second Reading* Bill 104, An Act to amend the Courts of Justice Act, 1984.  
*Mr Cureatz. PRINTED.*
94. *Second Reading* Bill 105, An Act to amend the Legislative Assembly Act.  
*Mr Cureatz. PRINTED.*
95. *Second Reading* Bill 110, An Act to declare Remembrance Day as a Holiday  
for Veterans. *Mr Henderson. PRINTED.*
96. *Second Reading* Bill 111, An Act to amend the Legislative Assembly Act.  
*Mr Swart.*
97. *Second Reading* Bill 112, An Act to amend the Legislative Assembly Act.  
*Mr Epp.*

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#### PRIVATE BILLS

98. *Second Reading* Bill Pr10, An Act respecting the Oshawa Public Utilities  
Commission. *Mr Breaugh. PRINTED.*
  99. *Second Reading* Bill Pr22, An Act respecting the City of Mississauga. *Mr  
Offer.*
  100. *Second Reading* Bill Pr62, An Act respecting The Windsor Utilities  
Commission. *Mr Ray (Windsor-Walkerville). PRINTED.*
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## NOTICES

### GOVERNMENT MOTIONS

6. *Mr. Peterson*—Resolution—WHEREAS the *Constitution Act, 1982* came into force on April 17, 1982, following an agreement between Canada and all the provinces except Quebec;

AND WHEREAS the Government of Quebec has established a set of five proposals for constitutional change and has stated that amendments to give effect to those proposals would enable Quebec to resume a full role in the constitutional councils of Canada;

AND WHEREAS the amendment proposed in the schedule hereto sets out the basis on which Quebec's five constitutional proposals may be met;

AND WHEREAS the amendment proposed in the schedule hereto also recognizes the principle of the equality of all the provinces, provides new arrangements to foster greater harmony and cooperation between the Government of Canada and the governments of the provinces and requires that conferences be convened to consider important constitutional, economic and other issues;

AND WHEREAS certain portions of the amendment proposed in the schedule hereto relate to matters referred to in section 41 of the *Constitution Act, 1982*;

AND WHEREAS section 41 of the *Constitution Act, 1982* provides that an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and the House of Commons and of the legislative assembly of each province;

NOW THEREFORE the Legislative Assembly of Ontario resolves that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by Her Excellency the Governor General under the Great Seal of Canada in accordance with the schedule hereto.

### SCHEDULE

#### CONSTITUTION AMENDMENT, 1987

##### *Constitution Act, 1867*

1. The *Constitution Act, 1867* is amended by adding thereto, immediately after section 1 thereof, the following section:

Inter-  
pretation

“2. (1) The Constitution of Canada shall be interpreted in a manner consistent with

(a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present elsewhere

in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada; and

(b) the recognition that Quebec constitutes within Canada a distinct society.

Role of  
Parliament  
and  
legislatures

(2) The role of the Parliament of Canada and the provincial legislatures to preserve the fundamental characteristic of Canada referred to in paragraph (1)(a) is affirmed.

Role of  
legislature  
and  
Government  
of Quebec

(3) The role of the legislature and Government of Quebec to preserve and promote the distinct identity of Quebec referred to in paragraph (1)(b) is affirmed.

Rights of  
legislatures  
and  
governments  
preserved

(4) Nothing in this section derogates from the powers, rights or privileges of Parliament or the Government of Canada, or of the legislatures or governments of the provinces, including any powers, rights or privileges relating to language.”

2. The said Act is further amended by adding thereto, immediately after section 24 thereof, the following section:

Names to be  
submitted

“25. (1) Where a vacancy occurs in the Senate, the Government of the province to which the vacancy relates may, in relation to that vacancy, submit to the Queen’s Privy Council for Canada the names of persons who may be summoned to the Senate.

Choice of  
Senators  
from names  
submitted

(2) Until an amendment to the Constitution of Canada is made in relation to the Senate pursuant to section 41 of the *Constitution Act, 1982*, the person summoned to fill a vacancy in the Senate shall be chosen from among persons whose names have been submitted under subsection (1) by the government of the province to which the vacancy relates and must be acceptable to the Queen’s Privy Council for Canada.”

3. The said Act is further amended by adding thereto, immediately after section 95 thereof, the following heading and sections:

*“Agreements on Immigration and Aliens*

Commitment  
to negotiate

95A. The Government of Canada shall, at the request of the government of any province, negotiate with the government of that province for the purpose of concluding an agreement relating to immigration or the temporary admission of aliens into that province that is appropriate to the needs and circumstances of that province.



## Agreements

**95B.** (1) Any agreement concluded between Canada and a province in relation to immigration or the temporary admission of aliens into that province has the force of law from the time it is declared to do so in accordance with subsection 95C(1) and shall from that time have effect notwithstanding class 25 of section 91 or section 95.

## Limitation

(2) An agreement that has the force of law under subsection (1) shall have effect only so long and so far as it is not repugnant to any provision of an Act of the Parliament of Canada that sets national standards and objectives relating to immigration or aliens, including any provision that establishes general classes of immigrants or relates to levels of immigration for Canada or that prescribes classes of individuals who are inadmissible into Canada.

## Application of Charter

(3) The *Canadian Charter of Rights and Freedoms* applies in respect of any agreement that has the force of law under subsection (1) and in respect of anything done by the Parliament or Government of Canada, or the legislature or government of a province, pursuant to any such agreement.

## Proclamation relating to agreements

**95C.** (1) A declaration that an agreement referred to in subsection 95B(1) has the force of law may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement.

## Amendment of agreements

(2) An amendment to an agreement referred to in subsection 95B(1) may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized

(a) by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement; or

(b) in such other manner as is set out in the agreement.

## Application of sections 46 to 48 of *Constitution Act, 1982*

**95D.** Sections 46 to 48 of the *Constitution Act, 1982* apply, with such modifications as the circumstances require, in respect of any declaration made pursuant to subsection 95C(1), any amendment to an agreement made pursuant to subsection 95C(2) or any amendment made pursuant to section 95E.

## Amendments to sections 95A to 95D or this section

**95E.** An amendment to sections 95A to 95D or this section may be made in accordance with the procedure set out in subsection 38(1) of the *Constitution Act, 1982*, but only if the amendment is authorized by resolutions of the legislative assemblies of all the provinces that are, at the time of the

amendment, parties to an agreement that has the force of law under subsection 95B(1).”

4. The said Act is further amended by adding thereto, immediately preceding section 96 thereof, the following heading:

*“General”*

5. The said Act is further amended by adding thereto, immediately preceding section 101 thereof, the following heading:

*“Courts Established by the Parliament of Canada”*

6. The said Act is further amended by adding thereto, immediately after section 101 thereof, the following heading and sections:

*“Supreme Court of Canada*

Supreme  
Court  
continued

**101A.** (1) The court existing under the name of the Supreme Court of Canada is hereby continued as the general court of appeal for Canada, and as an additional court for the better administration of the laws of Canada, and shall continue to be a superior court of record.

Constitution  
of court

(2) The Supreme Court of Canada shall consist of a chief justice to be called the Chief Justice of Canada and eight other judges, who shall be appointed by the Governor General in Council by letters patent under the Great Seal.

Who may be  
appointed  
judges

**101B.** (1) Any person may be appointed a judge of the Supreme Court of Canada who, after having been admitted to the bar of any province or territory, has, for a total of at least ten years, been a judge of any court in Canada or a member of the bar of any province or territory.

Three judges  
from Quebec

(2) At least three judges of the Supreme Court of Canada shall be appointed from among persons who, after having been admitted to the bar of Quebec, have, for a total of at least ten years, been judges of any court of Quebec or of any court established by the Parliament of Canada, or members of the bar of Quebec.

Names may  
be submitted

**101C.** (1) Where a vacancy occurs in the Supreme Court of Canada, the government of each province may, in relation to that vacancy, submit to the Minister of Justice of Canada the names of any of the persons who have been admitted to the bar of that province and are qualified under section 101B for appointment to that court.

Appointment  
from names  
submitted

(2) Where an appointment is made to the Supreme Court of Canada, the Governor General in Council shall, except

where the Chief Justice is appointed from among members of the Court, appoint a person whose name has been submitted under subsection (1) and who is acceptable to the Queen's Privy Council for Canada.

Appointment  
from Quebec

(3) Where an appointment is made in accordance with subsection (2) of any of the three judges necessary to meet the requirement set out in subsection 101B(2), the Governor General in Council shall appoint a person whose name has been submitted by the Government of Quebec.

Appointment  
from other  
provinces

(4) Where an appointment is made in accordance with subsection (2) otherwise than as required under subsection (3), the Governor General in Council shall appoint a person whose name has been submitted by the government of a province other than Quebec.

Tenure,  
salaries, etc.  
of judges

**101D.** Sections 99 and 100 apply in respect of the judges of the Supreme Court of Canada.

Relationship  
to section 101

**101E.** (1) Sections 101A to 101D shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws under section 101 except to the extent that such laws are inconsistent with those sections.

References  
to the  
Supreme  
Court of  
Canada

(2) For greater certainty, section 101A shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws relating to the reference of questions of law or fact, or any other matters, to the Supreme Court of Canada."

7. The said Act is further amended by adding thereto, immediately after section 106 thereof, the following section:

Shared-cost  
program

**"106A.** (1) The Government of Canada shall provide reasonable compensation to the government of a province that chooses not to participate in a national shared-cost program that is established by the Government of Canada after the coming into force of this section in an area of exclusive provincial jurisdiction, if the province carries on a program or initiative that is compatible with the national objectives.

Legislative  
power not  
extended

(2) Nothing in this section extends the legislative powers of the Parliament of Canada or of the legislatures of the provinces."

8. The said Act is further amended by adding thereto the following heading and sections:

“XII — CONFERENCES ON THE ECONOMY AND OTHER  
MATTERS

Conferences  
on the  
economy and  
other matters

**148.** A conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year to discuss the state of Canadian economy and such other matters as may be appropriate.

XIII — REFERENCES

Reference  
includes  
amendments

**149.** A reference to this Act shall be deemed to include a reference to any amendments thereto.”

*Constitution Act, 1982*

**9.** Sections 40 to 42 of the *Constitution Act, 1982* are repealed and the following substituted therefor:

Compensation

“**40.** Where an amendment is made under subsection 38(1) that transfers legislative powers from provincial legislatures to Parliament, Canada shall provide reasonable compensation to any province to which the amendment does not apply.

Amendment  
by  
unanimous  
consent

**41.** An amendment to the Constitution of Canada in relation to the following matters may be made by proclamation issued by the Governor General under the Great Seal of Canada only where authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province:

(a) the office of the Queen, the Governor General and the Lieutenant Governor of a province;

(b) the powers of the Senate and the method of selecting Senators;

(c) the number of members by which a province is entitled to be represented in the Senate and the residence qualifications of Senators;

(d) the right of a province to a number of members in the House of Commons not less than the number of Senators by which the province was entitled to be represented on April 17, 1982;

(e) the principle of proportionate representation of the provinces in the House of Commons prescribed by the Constitution of Canada;

(f) subject to section 43, the use of the English or the French language;



(g) the Supreme Court of Canada;

(h) the extension of existing provinces into the territories;

(i) notwithstanding any other law or practice, the establishment of new provinces; and

(j) an amendment to this Part.”

**10.** Section 44 of the said Act is repealed and the following substituted therefor:

Amendments  
by  
Parliament

“**44.** Subject to section 41, Parliament may exclusively make laws amending the Constitution of Canada in relation to the executive government of Canada or the Senate and House of Commons.”

**11.** Subsection 46(1) of the said Act is repealed and the following substituted therefor:

Initiation of  
amendment  
procedures

“**46.** (1) The procedures for amendment under sections 38, 41 and 43 may be initiated either by the Senate or the House of Commons or by the legislative assembly of a province.”

**12.** Subsection 47(1) of the said Act is repealed and the following substituted therefor:

Amendments  
without  
Senate  
resolution

“**47.** (1) An amendment to the Constitution of Canada made by proclamation under section 38, 41 or 43 may be made without a resolution of the Senate authorizing the issue of the proclamation if, within one hundred and eighty days after the adoption by the House of Commons of a resolution authorizing its issue, the Senate has not adopted such a resolution and if, at any time after the expiration of that period, the House of Commons again adopts the resolution.”

**13.** Part VI of the said Act is repealed and the following substituted therefor:

#### “PART VI

#### CONSTITUTIONAL CONFERENCES

Constitu-  
tional  
conference

**50.** (1) A constitutional conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year, commencing in 1988.

Agenda

(2) The conferences convened under subsection (1) shall have included on their agenda the following matters:

(a) Senate reform, including the role and functions of the Senate, its powers, the method of selecting Senators and representation in the Senate;

(b) roles and responsibilities in relation to fisheries; and

(c) such other matters as are agreed upon.”

14. Subsection 52(2) of the said Act is amended by striking out the word “and” at the end of paragraph (b) thereof, by adding the word “and” at the end of paragraph (c) thereof and by adding thereto the following paragraph:

“(d) any other amendment to the Constitution of Canada.”

15. Section 61 of the said Act is repealed and the following substituted therefor:

References

“61. A reference to the *Constitution Act, 1982*, or a reference to the *Constitution Acts 1867 to 1982*, shall be deemed to include a reference to any amendments thereto.”

*General*

Multicultural  
heritage and  
aboriginal  
people

16. Nothing in section 2 of the *Constitution Act, 1867* affects section 25 or 27 of the *Canadian Charter of Rights and Freedoms*, section 35 of the *Constitution Act, 1982* or class 24 of section 91 of the *Constitution Act, 1867*.

CITATION

Citation

17. This amendment may be cited as the *Constitution Amendment, 1987. November 24, 1987*.

M. Peterson—Résolution—

Attendu :

que la *Loi constitutionnelle de 1982* est entrée en vigueur le 17 avril 1982, à la suite d'un accord conclu entre le Canada et toutes les provinces, sauf le Québec;

que, selon le gouvernement du Québec, l'adoption de modifications visant à donner effet à ses cinq propositions de révision constitutionnelle permettrait au Québec de jouer pleinement de nouveau son rôle dans les instances constitutionnelles canadiennes;

que le projet de modification figurant en annexe présente les modalités d'un règlement relatif aux cinq propositions du Québec;

que le projet reconnaît le principe de l'égalité de toutes les provinces et prévoit, d'une part, de nouveaux arrangements propres à renforcer l'harmonie et la coopération entre le gouvernement du Canada et ceux des provinces, d'autre part la tenue de conférences consacrées à l'étude d'importantes questions constitutionnelles, économiques et autres;

que le projet porte en partie sur des questions visées à l'article 41 de la *Loi constitutionnelle de 1982*;

que cet article prévoit que la Constitution du Canada peut être modifiée par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de chaque province,

l'Assemblée législative de l'Ontario a résolu d'autoriser la modification de la Constitution du Canada par proclamation de Son Excellence le gouverneur général sous le grand sceau du Canada, en conformité avec l'annexe ci-jointe.

## ANNEXE

### MODIFICATION CONSTITUTIONNELLE DE 1987

#### *Loi constitutionnelle de 1867*

1. La *Loi constitutionnelle de 1867* est modifiée par insertion, après l'article 1, de ce qui suit:

Règle  
interprétative

«2. (1) Toute interprétation de la Constitution du Canada doit concorder avec :

a) la reconnaissance de ce que l'existence de Canadiens d'expression française, concentrés au Québec mais présents aussi dans le reste du pays, et de Canadiens d'expression anglaise, concentrés dans le reste du pays mais aussi présents au Québec, constitue une caractéristique fondamentale du Canada;

b) la reconnaissance de ce que le Québec forme au sein du Canada une société distincte.

Rôle du  
Parlement et  
des  
législatures

(2) Le Parlement du Canada et les législatures des provinces ont le rôle de protéger la caractéristique fondamentale du Canada visée à l'alinéa (1) a).

Rôle de la  
législature et  
du gouverne-  
ment du  
Québec

(3) La législature et le gouvernement du Québec ont le rôle de protéger et de promouvoir le caractère distinct du Québec visé à l'alinéa (1) b).

Maintien des  
droits des  
législatures et  
gouverne-  
ments

(4) Le présent article n'a pas pour effet de déroger aux pouvoirs, droits ou privilèges du Parlement ou du gouvernement du Canada, ou des législatures ou des gouvernements des provinces, y compris à leurs pouvoirs, droits ou privilèges en matière de langue.»

2. La même loi est modifiée par insertion, après l'article 24, de ce qui suit :

Propositions

«25. (1) En cas de vacance au Sénat, le gouvernement de la province à représenter peut proposer au Conseil privé de la Reine pour le Canada des personnes susceptibles d'être nommées au siège vacant.

Choix des  
sénateurs

(2) Jusqu'à la modification, faite conformément à l'article 41 de la *Loi constitutionnelle de 1982*, de toute disposition de la Constitution du Canada relative au Sénat, les personnes nommées aux sièges vacants au Sénat sont choisies parmi celles qui ont été proposées par le gouvernement de la province à représenter et agréées par le Conseil privé de la Reine pour le Canada.»

3. La même loi est modifiée par insertion, après l'article 95, de ce qui suit :

«*Accords relatifs à l'immigration et aux aubains*

Engagement

95A. Sur demande du gouvernement d'une province, le gouvernement du Canada négocie avec lui en vue de conclure, en matière d'immigration ou d'admission temporaire des aubains dans la province, un accord adapté aux besoins et à la situation particulière de celle-ci.

Accords

95B. (1) Tout accord conclu entre le Canada et une province en matière d'immigration ou d'admission temporaire des aubains dans la province a, une fois faite la déclaration visée au paragraphe 95C(1), force de loi et a dès lors effet indépendamment tant du point 25 de l'article 91 que de l'article 95.



## Restriction

(2) L'accord ayant ainsi force de loi n'a d'effet que dans la mesure de sa compatibilité avec les dispositions des lois du Parlement du Canada qui fixent des normes et objectifs nationaux relatifs à l'immigration et aux aubains, notamment en ce qui concerne l'établissement des catégories générales d'immigrants, les niveaux d'immigration au Canada et la détermination des catégories de personnes inadmissibles au Canada.

Application  
de la Charte

(3) La *Charte canadienne des droits et libertés* s'applique aux accords ayant ainsi force de loi et à toute mesure prise sous leur régime par le Parlement ou le gouvernement du Canada ou par la législature ou le gouvernement d'une province.

Proclamation  
relative aux  
accords

**95C.** (1) La déclaration portant qu'un accord visé au paragraphe 95B(1) a force de loi se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord.

Modification  
des accords

(2) La modification d'un accord visé au paragraphe 95B(1) se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée :

a) soit par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord;

b) soit selon les modalités prévues dans l'accord même.

Application  
des articles  
46 à 48 de la  
*Loi constitutionnelle de 1982*

**95D.** Les articles 46 à 48 de la *Loi constitutionnelle de 1982* s'appliquent, avec les adaptations nécessaires, à toute déclaration faite aux termes du paragraphe 95C(1), à toute modification d'un accord faite aux termes du paragraphe 95C(2) ou à toute modification faite aux termes de l'article 95E.

Modification  
des articles  
95A à 95D ou  
du présent  
article

**95E.** Les articles 95A à 95D ou le présent article peuvent être modifiés conformément au paragraphe 38(1) de la *Loi constitutionnelle de 1982*, à condition que la modification soit autorisée par des résolutions des assemblées législatives de toutes les provinces qui sont, à l'époque de celle-ci, parties à un accord ayant force de loi aux termes du paragraphe 95B(1).»

4. La même loi est modifiée par insertion, avant l'article 96, de ce qui suit :

## «Dispositions générales»

5. La même loi est modifiée par insertion, avant l'article 101, de ce qui suit :

*«Tribunaux créés par le Parlement du Canada»*

6. La même loi est modifiée par insertion, après l'article 101, de ce qui suit :

*«Cour suprême du Canada*

Maintien de  
la Cour  
suprême  
du Canada

**101A.** (1) La cour qui existe sous le nom de Cour suprême du Canada est maintenue à titre de cour générale d'appel pour le Canada et de cour additionnelle propre à améliorer l'application des lois du Canada. Elle conserve ses attributions de cour supérieure d'archives.

Composition

(2) La Cour suprême du Canada se compose du juge en chef, appelé juge en chef du Canada, et de huit autres juges, que nomme le gouverneur général en conseil par lettres patentes sous le grand sceau.

Conditions  
de  
nomination

**101B.** (1) Les juges sont choisis parmi les personnes qui, après avoir été admises au barreau d'une province ou d'un territoire, ont, pendant au moins dix ans au total, été juges de n'importe quel tribunal du pays ou inscrites au barreau de n'importe quelle province ou de n'importe quel territoire.

Québec :  
trois juges

(2) Au moins trois des juges sont choisis parmi les personnes qui, après avoir été admises au barreau du Québec, ont, pendant au moins dix ans au total, été inscrites à ce barreau ou juges d'un tribunal du Québec ou d'un tribunal créé par le Parlement du Canada.

Propositions  
de  
nomination

**101C.** (1) En cas de vacance à la Cour suprême du Canada, le gouvernement de chaque province peut proposer au ministre fédéral de la Justice, pour la charge devenue vacante, des personnes admises au barreau de cette province et remplissant les conditions visées à l'article 101B.

Nomination  
parmi les  
personnes  
proposées

(2) Le gouverneur général en conseil procède aux nominations parmi les personnes proposées et qui agrément au Conseil privé de la Reine pour le Canada; le présent paragraphe ne s'applique pas à la nomination du juge en chef dans les cas où il est choisi parmi les juges de la Cour suprême du Canada.

Nomination  
parmi les  
personnes  
proposées  
par le  
Québec

(3) Dans le cas de chacune de trois nominations à faire conformément au paragraphe 101B(2), le gouverneur général en conseil nomme une personne proposée par le gouvernement du Québec.

Nomination  
parmi les  
personnes  
proposées  
par les autres  
provinces

(4) Dans le cas de toute autre nomination, le gouverneur général en conseil nomme une personne proposée par le gouvernement d'une autre province que le Québec.

Inamovibilité,  
traitement,  
etc.

**101D.** Les articles 99 et 100 s'appliquent aux juges de la Cour suprême du Canada.

Rapport avec  
l'article 101

**101E.** (1) Sous réserve que ne soient pas adoptées, dans les matières visées à l'article 101, de dispositions incompatibles avec les articles 101A à 101D, ceux-ci n'ont pas pour effet de porter atteinte à la compétence législative conférée au Parlement du Canada en ces matières.

Renvois à la  
Cour  
suprême du  
Canada

(2) Il est entendu que l'article 101A n'a pas pour effet de porter atteinte à la compétence législative du Parlement du Canada en ce qui concerne le renvoi à la Cour suprême du Canada de questions de droit ou de fait, ou de toute autre question.»

**7.** La même loi est modifiée par insertion, après l'article 106, de ce qui suit :

Programmes  
cofinancés

«**106A.** (1) Le gouvernement du Canada fournit une juste compensation au gouvernement d'une province qui choisit de ne pas participer à un programme national cofinancé qu'il établit après l'entrée en vigueur du présent article dans un secteur de compétence exclusive provinciale, si la province applique un programme ou une mesure compatible avec les objectifs nationaux.

Non-élargis-  
sement des  
compétences  
législatives

(2) Le présent article n'élargit pas les compétences législatives du Parlement du Canada ou des législatures des provinces.»

**8.** La même loi est modifiée par insertion, après l'article 147, de ce qui suit :

#### «XII. — CONFÉRENCES SUR L'ÉCONOMIE ET SUR D'AUTRES QUESTIONS

Convocation

**148.** Le premier ministre du Canada convoque au moins une fois par an une conférence réunissant les premiers ministres provinciaux et lui-même et portant sur l'économie canadienne ainsi que sur toute autre question appropriée.

#### XIII. — MENTIONS

Présomption

**149.** Toute mention de la présente loi est réputée constituer également une mention de ses modifications.»

#### *Loi constitutionnelle de 1982*

**9.** Les articles 40 à 42 de la *Loi constitutionnelle de 1982* sont abrogés et remplacés par ce qui suit :

Compen-  
sation

«40. Le Canada fournit une juste compensation aux provinces auxquelles ne s'applique pas une modification faite conformément au paragraphe 38(1) et relative à un transfert de compétences législatives provinciales au Parlement.

Consente-  
ment  
unanime

41. Toute modification de la Constitution du Canada portant sur les questions suivantes se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de chaque province :

a) la charge de Reine, celle de gouverneur général et celle de lieutenant-gouverneur;

b) les pouvoirs du Sénat et le mode de sélection des sénateurs;

c) le nombre des sénateurs par lesquels une province est habilitée à être représentée et les conditions de résidence qu'ils doivent remplir;

d) le droit d'une province d'avoir à la Chambre des communes un nombre de députés au moins égal à celui des sénateurs par lesquels elle était habilitée à être représentée le 17 avril 1982;

e) le principe de la représentation proportionnelle des provinces à la Chambre des communes prévu par la Constitution du Canada;

f) sous réserve de l'article 43, l'usage du français ou de l'anglais;

g) la Cour suprême du Canada;

h) le rattachement aux provinces existantes de tout ou partie des territoires;

i) par dérogation à toute autre loi ou usage, la création de provinces;

j) la modification de la présente partie.»

10. L'article 44 de la même loi est abrogé et remplacé par ce qui suit :

Modification  
par le  
Parlement

«44. Sous réserve de l'article 41, le Parlement a compétence exclusive pour modifier les dispositions de la Constitution du Canada relatives au pouvoir exécutif fédéral, au Sénat ou à la Chambre des communes.»



**11.** Le paragraphe 46(1) de la même loi est abrogé et remplacé par ce qui suit :

Initiative des  
procédures

«**46.** (1) L'initiative des procédures de modification visées aux articles 38, 41 et 43 appartient au Sénat, à la Chambre des communes ou à une assemblée législative.»

**12.** Le paragraphe 47(1) de la même loi est abrogé et remplacé par ce qui suit :

Modification  
sans  
résolution du  
Sénat

«**47.**(1) Dans les cas visés à l'article 38, 41 ou 43, il peut être passé outre au défaut d'autorisation du Sénat si celui-ci n'a pas adopté de résolution dans un délai de cent quatre-vingts jours suivant l'adoption de celle de la Chambre des communes et si cette dernière, après l'expiration du délai, adopte une nouvelle résolution dans le même sens.»

**13.** La partie VI de la même loi est abrogée et remplacée par ce qui suit :

#### «PARTIE VI

#### CONFÉRENCES CONSTITUTIONNELLES

Convocation

**50.** (1) Le premier ministre du Canada convoque au moins une fois par an une conférence constitutionnelle réunissant les premiers ministres provinciaux et lui-même, la première devant avoir lieu en 1988.

Ordre du  
jour

(2) Sont placées à l'ordre du jour de ces conférences les questions suivantes :

*a)* la réforme du Sénat, y compris son rôle et ses fonctions, ses pouvoirs, le mode de sélection des sénateurs et la représentation au Sénat;

*b)* les rôles et les responsabilités en matière de pêches;

*c)* toutes autres questions dont il est convenu.»

**14.** Le paragraphe 52(2) de la même loi est modifié par adjonction de ce qui suit :

«*d)* les autres modifications qui lui sont apportées.»

**15.** L'article 61 de la même loi est abrogé et remplacé par ce qui suit :

Mentions

«**61.** Toute mention de la *Loi constitutionnelle de 1982* ou des *Lois constitutionnelles de 1867 à 1982* est réputée constituer également une mention de leurs modifications.»

*Dispositions générales*

Patrimoine  
multiculturel  
et peuples  
autochtones

16. L'article 2 de la *Loi constitutionnelle de 1867* n'a pas pour effet de porter atteinte aux articles 25 ou 27 de la *Charte canadienne des droits et libertés*, à l'article 35 de la *Loi constitutionnelle de 1982* ou au point 24 de l'article 91 de la *Loi constitutionnelle de 1867*.

## TITRE

Titre

17. Titre de la présente modification : *Modification constitutionnelle de 1987. Le 24 novembre 1987.*

9. *Debated April 7, 11 12 and 13, 1988.*
10. *Mr Conway—Resolution—That the 1987-1988 Estimates and Supplementary Estimates which have not yet been passed by the committees and reported to the House be deemed to be passed and reported to the House, and that the 1987-1988 Estimates and Supplementary Estimates be deemed to be concurred in. April 7, 1988.*

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**MOTION OF NON-CONFIDENCE  
UNDER STANDING ORDER 70 (a)**

1. *Mr Rae (York South)—Notice—That the Government lacks the confidence of this House because of its abject failure to provide decent, affordable housing for the working families of Ontario—in particular, through its failure to increase the supply of affordable housing; through its failure to protect the existing housing stock; and through its failure to protect tenants. April 11, 1988.*
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## PRIVATE MEMBERS' MOTIONS

1. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that huge rent increases year after year are constituting a threat to the competitiveness and survival of retail business in commercial strips serving residential neighbourhoods, the Government of Ontario should introduce legislation as soon as possible to regulate the rents for such business establishments in order to provide those businesses with protection from gouging landlords comparable to the protection given to tenants of residential rental premises under the Residential Rent Regulation Act, 1986. *November 10, 1987.*
2. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that part-time workers in both the public and private sector are discriminated against by the denial of many benefits and rights provided to other workers in the same establishment, a charter of rights for part-time workers should be added to both the Employment Standards Act and the Labour Relations Act to provide pro rata benefits and collective bargaining rights to such workers and that they be made eligible for severance pay and retraining and readjustment programs provided for other workers displaced by technological change in the same establishment. *November 10, 1987.*
4. *Mr Morin-Strom*—Resolution—That, in the opinion of this House, recognizing the importance of the TransCanada Highway to our nation and to our province, the government of Ontario should upgrade the TransCanada Highway to a modern four-lane system through Northern Ontario to the Manitoba border, and that the government should immediately commence design and schedule construction to ensure completion across Northern Ontario by 1997. *November 18, 1987.*
9. *Mr Wildman*—Resolution—That, in the opinion of this House, the plans of the Canada Post Corporation to close, amalgamate or franchise many rural post offices and to eliminate or tender rural route services in order to reduce its operating deficit would reduce essential mail services from many rural Ontario communities, causing severe hardship and inconvenience to rural Ontarians, particularly the elderly and disabled; the Government of Ontario should urge the Government of Canada to halt, immediately, these plans to cut service and maintain and improve rural postal services across Ontario. *December 8, 1987.*
10. *Mr Swart*—Resolution—That, in the opinion of this House, recognizing the particular desirability of the protection of consumers of bereavement services from the business practices associated with corporate concentration and the desirability of fostering and encouraging the small business sector in Ontario, the Government of Ontario should introduce legislation as soon as possible to further regulate the bereavement industry to ensure the following:
  1. That a Board of Bereavement Services, composed of representatives of the public and the various sectors and sub-sectors of the bereavement services industry, be constituted to make recommendations to

the Minister of Consumer and Commercial Relations and the Minister of Health on further reforms of the regulation of bereavement services and to act as the licensing and regulating body for funeral directors, funeral service establishments, cemeterians, cemeteries, monument builders and monument building firms;

2. That the bereavement services industry be divided into three sectors, consisting of cemeteries, funeral services and monument builders and that no proprietor, partnership or corporate entity be allowed to offer services in more than one of these sectors and that any operator who currently offers services in more than one of the sectors be allowed five years to divest itself of operations in more than one sector and where one corporate entity owns more than twenty-five per cent of the shares in other corporate entities operating in more than one of the sectors, relations between such entities shall be at arm's length;
3. That funeral service establishments may act as agents for monument building firms in rural areas where the Board of Bereavement Services establishes that a consumer need exists and where there is no monument building firm willing to establish in such rural areas;
4. That the ownership of any proprietorship, partnership or corporate entity involved in the provision of bereavement services must be fully disclosed to the public, including the names of all shareholders in a corporate entity who hold more than ten per cent of the shares in such entity;
5. That no funeral service facility be allowed on the grounds of, or adjoining the grounds of, a cemetery;
6. That for the purpose of provincial business and corporate income taxation, as well as for the purpose of municipal property taxation, cemeteries be categorized as either non-profit or commercial and that those categorized as non-profit be exempt from income and property tax and those categorized as commercial be subject to income taxation and to property taxation on all lands less each grave space occupied by a deceased person;
7. That funeral services be sold only by a licensed funeral director through a licensed funeral service establishment, cemetery services be sold only by a licensed cemeterian through a licensed cemetery and upright monument services be sold only by a licensed monument builder through a licensed monument building firm; and
8. That there be no telephone or door-to-door solicitation of funeral, cemetery or monument services. *December 14, 1987.*
12. *Mr Runciman*—Resolution—That, in the opinion of this House, recognizing that there have been twenty-eight bank branch closures across Ontario between 1982 and 1986 which have left many small communities without adequate banking services, the Government of Ontario should review all requests for satellite banking services and establish Province of Ontario



Savings Offices in those areas where population levels demonstrate a need for them and where financial benefit can be determined. *December 15, 1987.*

13. *Mr Sterling*—Resolution—That, in the opinion of this House, recognizing the devastating and lethal impact of tobacco on the health of our citizenry, and recognizing the tobacco industry's attempt to advertise in a manner designed to undermine the health warnings of its hazardous product, the Government of Ontario should pursue every opportunity to express its support for the Federal Government's initiative, Bill C-51, the *Tobacco Products Control Act*, An Act to prohibit the advertising and promotion and respecting the labelling and monitoring of tobacco products. *December 15, 1987.*
  
16. *Miss Martel*—Resolution—That, in the opinion of this House, this Legislature condemns the Government of Ontario for its failure to establish the Northern Ontario Heritage Fund as outlined in the Budget of May 20, 1987 and in the Speech from the Throne of November 3, 1987 therefore this Legislature strongly urges the Government to:
  - immediately establish the Northern Ontario Heritage Fund;
  - ensure that Northerners, through committees representing Northern communities, labour, Native groups, women's groups and local small businesses, control the disbursement of the Fund; and
  - provide substantial funding to help ensure long-term economic growth and diversification of the region. *April 5, 1988.*
  
17. *Mr Kanter*—Resolution—That, in the opinion of this House, recognizing that organ transplants constitute a cost efficient medical practice that has saved lives and improved the quality of life for thousands of Ontario residents, and recognizing further that hundreds of Ontario residents wait desperately for organs that could give them a second chance at life, physicians should therefore be reminded, through their routine procedures, to consider whether a person who dies in a public hospital is a suitable organ donor and whether it is appropriate to approach the family of the deceased for consent to the transplant of any of the organs of the deceased, therefore the Government should amend the regulations under the *Public Hospitals Act* to require every public hospital to include questions similar to the following in any form required by the hospital to be completed by a physician to record the death of a patient in the hospital:
  1. Has the patient been considered as an organ donor.
  2. Are the wishes of the patient regarding donation of his or her organs known.
  3. Are the wishes of the patient's family regarding the donation of the patient's organs known.

4. (a) Has consent for organ or tissue donation been obtained.

(b) If so, what organs or tissue have been donated. *April 5, 1988.*

19. *Mr Swart*—Resolution—That, in the opinion of this House, recognizing the need for the expansion of hospital beds and related facilities in scores of communities across the province, and given the undesirability of using the regressive property tax system for funding such construction or renovation, the Lieutenant Governor-in-Council should amend Ontario Regulation 859 under the Public Hospitals Act which now limits provincial contributions to a ceiling of two thirds (five sixths on the North)—a ceiling seldom reached—to allow the provincial contribution to be 100% of the costs. *April 7, 1988.*
20. *Mr Cooke (Windsor-Riverside)*—Resolution—That, in the opinion of this House, recognizing that the scope and recommendations of the Task Force on Inflation Protection for Employment Pension Plans failed to meet the concerns of workers and most particularly retirees whose pensions have already been eroded by inflation but who will get nothing from these proposals, this Legislature strongly urges the Government of Ontario to:
  - introduce legislation to require indexation of all pensions with the same indexing formula applicable to current plan members, current pensioners and those entitled to a deferred pension.
  - place an immediate moratorium on the use of contribution holidays which are, in fact just another means of surplus withdrawals. *April 13, 1988.*
21. *Mr Carrothers*—Resolution—That, in the opinion of this House, recognizing that cancer continues to be a major source of fatality in Ontario and recognizing the need for extensive research, diagnosis and treatment, the Government of Ontario should support the development of a community based cancer clinic network. *April 14, 1988.*
22. *Mr Harris*—Resolution—That, in the opinion of this House, all future legislation which would establish an agency, board, commission or regulatory system or create new direct expenditures or tax expenditures must contain a sunset provision which would, after a specified period of time, require mandatory review of the original legislation by a committee of this House. The Committee would be mandated to report to this House on the impact of the legislation, the degree to which the program and policy objectives have been met and make recommendations as to whether the legislation, regulations, program or agency should be continued, terminated or amended. Further, this House is of the opinion that all existing legislation which has established an agency, board, commission or regulatory system or created new direct expenditures or tax expenditures should, over the next five years be reviewed by a committee of this House with the mandate indicated above. *April 14, 1988.*

## QUESTIONS

*(Questions are to appear on the day after they are tabled and on every subsequent day in the week they are tabled and then subsequently only on each Monday until an Answer (other than an Interim Answer) is tabled. A question tabled on a Thursday will appear on each day of the following week.)*

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101. *Mr Cooke (Windsor-Riverside)*—Enquiry of the Ministry—Would the Chairman of Management Board of Cabinet provide the House with a list of all communities in Ontario where provincial government jobs are located, the number of provincial government employees in each of these communities and which ministry of government they work for. *April 7, 1988.*
  
  102. *Mr Wiseman*—Enquiry of the Ministry—Would the Minister of Health provide the following information: since June of 1985 how much money has been allocated annually to both private and non-profit nursing homes. As well, please provide the number of beds which have been opened up in both types of institutions. *April 13, 1988.*
  
  103. *Mrs Cunningham*—Enquiry of the Ministry—Would the Minister of Skills Development provide a complete financial report on the Summer Experience '88 program including a breakdown of all administrative and advertising costs including, how many Experience '88 guide books were printed, at what cost, who they were distributed to and when. *April 14, 1988.*
  
  104. *Mrs Cunningham*—Enquiry of the Ministry—Would the Minister of Skills Development provide a detailed report on the number of applications received under the Summer Experience '88 program as of the close of applications on April 8, 1988. *April 14, 1988.*
  
  105. *Mrs Cunningham*—Enquiry of the Ministry—Would the Minister of Skills Development provide a complete financial report on the Ontario Summer Employment Program including; how many guideline booklets were printed, at what cost, who they were distributed to and when. *April 14, 1988.*
  
  106. *Mrs Cunningham*—Enquiry of the Ministry—Would the Minister of Skills Development provide a complete financial report on the "Work, Training & Business Opportunities for young people" folder delivered to Members offices during the week of April 4, 1988 including a breakdown of all production and administrative costs, how many folders were printed, at what cost, who they were distributed to and when. *April 14, 1988.*
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## PRIVATE MEMBERS' BUSINESS TO BE DEBATED

*(Precedence in accordance with the Standing Order 71 (d).)*

Ballot Item No. 13—*To be debated today.*

*Mr. Kanter*—Resolution—That, in the opinion of this House, recognizing that organ transplants constitute a cost efficient medical practice that has saved lives and improved the quality of life for thousands of Ontario residents, and recognizing further that hundreds of Ontario residents wait desperately for organs that could give them a second chance at life, physicians should therefore be reminded, through their routine procedures, to consider whether a person who dies in a public hospital is a suitable organ donor and whether it is appropriate to approach the family of the deceased for consent to the transplant of any of the organs of the deceased, therefore the Government should amend the regulations under the *Public Hospitals Act* to require every public hospital to include questions similar to the following in any form required by the hospital to be completed by a physician to record the death of a patient in the hospital:

1. Has the patient been considered as an organ donor.
2. Are the wishes of the patient regarding donation of his or her organs known.
3. Are the wishes of the patient's family regarding the donation of the patient's organs known.
4. (a) Has consent for organ or tissue donation been obtained.  
(b) If so, what organs or tissue have been donated.

Ballot Item No. 14—*To be debated today.*

*Miss Martel*—Resolution—That, in the opinion of this House, this Legislature condemns the Government of Ontario for its failure to establish the Northern Ontario Heritage Fund as outlined in the Budget of May 20, 1987 and in the Speech from the Throne of November 3, 1987 therefore this Legislature strongly urges the Government to:

- immediately establish the Northern Ontario Heritage Fund;
- ensure that Northerners, through committees representing Northern communities, labour, Native groups, women's groups and local small businesses, control the disbursement of the Fund; and
- provide substantial funding to help ensure long-term economic growth and diversification of the region.

Ballot Item No. 15—*To be debated on Thursday, April 21, 1988.*

*Mr Harris*—Resolution—That, in the opinion of this House, all future legislation which would establish an agency, board, commission or regulatory system or



create new direct expenditures or tax expenditures must contain a sunset provision which would, after a specified period of time, require mandatory review of the original legislation by a committee of this House. The Committee would be mandated to report to this House on the impact of the legislation, the degree to which the program and policy objectives have been met and make recommendations as to whether the legislation, regulations, program or agency should be continued, terminated or amended. Further, this House is of the opinion that all existing legislation which has established an agency, board, commission or regulatory system or created new direct expenditures or tax expenditures should, over the next five years be reviewed by a committee of this House with the mandate indicated above.

Ballot Item No. 16—*To be debated on Thursday, April 21, 1988.*

*Mr Carrothers*—Resolution—That, in the opinion of this House, recognizing that cancer continues to be a major source of fatality in Ontario and recognizing the need for extensive research, diagnosis and treatment, the Government of Ontario should support the development of a community based cancer clinic network.

Ballot Item No. 17—*To be debated on Thursday, April 28, 1988.*

*Mr Cooke (Windsor-Riverside)*—Resolution—That, in the opinion of this House, recognizing that the scope and recommendations of the Task Force on Inflation Protection for Employment Pension Plans failed to meet the concerns of workers and most particularly retirees whose pensions have already been eroded by inflation but who will get nothing from these proposals, this Legislature strongly urges the Government of Ontario to:

- introduce legislation to require indexation of all pensions with the same indexing formula applicable to current plan members, current pensioners and those entitled to a deferred pension.
  - place an immediate moratorium on the use of contribution holidays which are, in fact just another means of surplus withdrawals.
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## BILLS REFERRED TO STANDING COMMITTEES

### STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Bill Pr1, An Act respecting Canada Christian College and School of Graduate Theological Studies. *Mr Allen. (Referred November 18, 1987.)*

Bill Pr2, An Act to revive Big Cedar Association. *Mr Owen. (Referred February 8, 1988.)*

Bill Pr4, An Act respecting The Ottawa Civil Service Recreational Association. *Mr Chiarelli. (Referred November 16, 1987.)*

Bill Pr5, An Act respecting The Chartered Institute of Marketing Management of Ontario. *Ms Hart. (Referred February 8, 1988.)*

Bill Pr7, An Act respecting the Driving School Association of Ontario. *Mr Ferraro. (Referred November 9, 1987.)*

Bill Pr11, An Act to revive L F P Management Limited. *Mrs Fawcett. (Referred April 12, 1988.)*

Bill Pr16, An Act respecting the City of Toronto. *Mr Kanter. (Referred December 8, 1987.)*

Bill Pr19, An Act respecting the City of Sudbury. *Mr Campbell. (Referred April 12, 1988.)*

Bill Pr24, An Act respecting the Hamilton Civic Hospitals. *Ms Collins. (Referred December 7, 1987.)*

Bill Pr25, An Act respecting Kingsway General Insurance Company. *Mr Cousens. (Referred December 9, 1987.)*

Bill Pr27, An Act respecting the Ontario Municipal Management Institute. *Mr Campbell. (Referred December 22, 1987.)*

Bill Pr28, An Act to revive Mid-Continent Bond Corporation, Limited. *Mr Ray (Windsor-Walkerville). (Referred April 6, 1988.)*

Bill Pr29, An Act respecting The United Church of Canada and The Canada Conference The Evangelical United Brethren Church. *Mr Epp. (Referred February 8, 1988.)*

Bill Pr30, An Act respecting The General Hospital of Port Arthur. *Mr Kozyra. (Referred December 3, 1987.)*

Bill Pr34, An Act to revive Machin Mines Limited. *Mr Kanter. (Referred February 9, 1988.)*

Bill Pr37, An Act respecting the University of Western Ontario. *Mr Reycraft. (Referred December 22, 1987.)*

Bill Pr38, An Act to revive Prow Yellowknife Gold Mines Ltd. *Mr Kanter. (Referred February 9, 1988.)*

Bill Pr40, An Act respecting the City of Trenton. *Mrs Fawcett. (Referred April 12, 1988.)*

Bill Pr49, An Act to revive Lebon Gold Mines Limited. *Mr Kanter. (Referred February 8, 1988.)*

Bill Pr56, An Act respecting the City of Toronto. *Mr Kanter. (Referred November 30, 1987.)*

Bill Pr67, An Act respecting the City of Hamilton. *Mr Charlton. (Referred December 3, 1987.)*

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## STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Bill 13, An Act respecting Environmental Rights in Ontario. *Mrs Grier. (Referred December 10, 1987.)*

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## STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Bill 50, An Act to provide for Community Mental Health Services. *Mr Reville. (Referred December 17, 1987.)*

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## MATTERS REFERRED TO SELECT COMMITTEES

### SELECT COMMITTEE ON EDUCATION

Consider and report on the role of the formal elementary and secondary school system in the successful transition of young students to adulthood in Ontario. *(Referred by Order of the House on February 11, 1988.)*

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### SELECT COMMITTEE ON ENERGY

Consider and report on Ontario Hydro Affairs. *(Referred by Order of the House on February 11, 1988.)*

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## SELECT COMMITTEE ON CONSTITUTIONAL REFORM

Consider and report on the 1987 Constitutional Accord (Sessional Paper No. 74), and matters related thereto. (*Referred by Order of the House on November 30, 1987.*)

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## MATTERS REFERRED TO STANDING COMMITTEES

*(In accordance with the Standing Orders, statutory annual reports of each ministry and of all agencies, boards and commissions reporting to each Minister for the immediate past reporting period stand permanently referred to the appropriate Standing Committees.)*

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## STANDING COMMITTEE ON FINANCE AND ECONOMIC AFFAIRS

Consider and report on the Canada-U.S. Free Trade Agreement (Sessional Paper Number 108). (*Referred by Order of the House on January 7, 1988.*)

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## STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Consider and report on Safety in Ontario Mines. (*Referred by Order of the House on January 7, 1988.*)

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## COMMITTEE MEETINGS

The Standing Committee on Finance and Economic Affairs will meet to consider the Free Trade Agreement as follows:

Today	10.30 a.m.	Room No. 1
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The Standing Committee on Public Accounts will meet to review the 1987 Annual Report of the Provincial Auditor as follows:

Today	10.00 a.m.	Room No. 151
Section 2.2		
The Estimates Process—Maligned and Ineffective		

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The Standing Committee on Resources Development will meet to consider accidents and fatalities in Ontario mines as follows:

Today	following Routine Proceedings	Room No. 1
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The Standing Committee on Regulations and Private Bills will meet to consider Bill Pr37, An Act respecting the University of Western Ontario; Bill Pr67, An Act respecting the City of Hamilton; Bill Pr5, An Act respecting The Chartered Institute of Marketing Management of Ontario; Bill Pr27, An Act respecting the Ontario Municipal Management Institute; Bill Pr29, An Act respecting The United Church of Canada and The Canada Conference The Evangelical United Brethren Church; and Bill Pr7, An Act respecting the Driving School Association of Ontario, as follows:

Wednesday, 20 April	10.00 a.m.	Committee Room No. 1
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## ESTIMATES

TOTAL HOURS FOR CONSIDERATION OF  
ALL ESTIMATES ..... 381 hrs., 30 mins.

### IN COMMITTEE OF SUPPLY

(Estimates to be taken in order shown)

1. Lieutenant Governor,  
Premier and Cabinet Office ..... 7 hrs., 30 mins.
2. Government Services ..... 7 hrs., 30 mins.  
(Includes supplementaries, Number 2)‡
3. Intergovernmental Affairs ..... 7 hrs., 30 mins.
4. Management Board of Cabinet ..... 7 hrs., 30 mins.
5. Revenue ..... 7 hrs., 30 mins.  
(Includes supplementaries, Number 1)†
6. Francophone Affairs ..... 7 hrs., 30 mins.

### IN STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

(Estimates to be taken in order shown)

1. Treasury and Economics ..... (Completed Tuesday, December 8, 1987)
2. Energy ..... 5 hrs., 54 mins.  
(Includes supplementaries, Number 1)†  
(Adjourned at Vote 1301, Item 1)
3. Attorney General ..... 7 hrs., 30 mins.  
(Includes supplementaries, Number 1)†  
(Includes supplementaries, Number 2)‡
4. Consumer and Commercial Relations ..... 7 hrs., 30 mins.  
(Includes supplementaries, Number 1)†
5. Correctional Services ..... 7 hrs., 30 mins.
6. Financial Institutions ..... 7 hrs., 30 mins.
7. Office Responsible for  
Native Affairs ..... 7 hrs., 30 mins.
8. Solicitor General ..... 7 hrs., 30 mins.

†Supplementary Estimates Number 1 Tabled December 17, 1987.

‡Supplementary Estimates Number 2 Tabled February 9, 1988.

## IN STANDING COMMITTEE ON GENERAL GOVERNMENT

(Estimates to be taken in order shown)

1. Labour ..... 3 hrs., 06 mins.  
(Adjourned at Vote 2101, Item 1)
2. Northern Development ..... 7 hrs., 30 mins.
3. Office Responsible for  
Women's Issues ..... 7 hrs., 30 mins.

## IN STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

(Estimates to be taken in order shown)

1. Office of the Assembly ..... 5 hrs.  
(Includes supplementaries, Number 1)<sup>†</sup>
2. Office of the  
Chief Election Officer ..... 5 hrs.

## IN STANDING COMMITTEE ON THE OMBUDSMAN

(Estimates to be taken in order shown)

1. Office of the Ombudsman ..... 5 hrs.  
(Includes supplementaries, Number 1)<sup>†</sup>

## IN STANDING COMMITTEE ON PUBLIC ACCOUNTS

(Estimates to be taken in order shown)

1. Office of the Provincial Auditor .. (Completed Thursday, December 17, 1987)

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<sup>†</sup>Supplementary Estimates Number 1 Tabled December 17, 1987.

## IN STANDING COMMITTEE ON RESOURCES DEVELOPMENT

(Estimates to be taken in order shown)

1. Industry, Trade and Technology . *(Completed Thursday, December 10, 1987)*
2. Housing ..... *(Completed Thursday, December 17, 1987)*
3. Environment ..... 7 hrs., 30 mins.  
*(Includes supplementaries, Number 1)†*
4. Agriculture and Food ..... 7 hrs., 30 mins.  
*(Includes supplementaries, Number 1)†*
5. Mines ..... 7 hrs., 30 mins.
6. Municipal Affairs ..... 7 hrs., 30 mins.  
*(Includes supplementaries, Number 1)†*  
*(Includes supplementaries, Number 2)‡*
7. Natural Resources ..... 7 hrs., 30 mins.  
*(Includes supplementaries, Number 1)†*
8. Tourism and Recreation ..... 7 hrs., 30 mins.
9. Transportation ..... 7 hrs., 30 mins.  
*(Includes supplementaries, Number 1)†*
10. Industry, Trade and Technology ..... —  
*(Supplementaries only, Number 2)‡*
11. Housing ..... —  
*(Supplementaries only, Number 2)‡*

†Supplementary Estimates Number 1 Tabled December 17, 1987.

‡Supplementary Estimates Number 2 Tabled February 9, 1988.



## IN STANDING COMMITTEE ON SOCIAL DEVELOPMENT

(Estimates to be taken in order shown)

1. Skills Development ..... *(Completed Thursday, December 10, 1987)*
2. Office for Disabled Persons ..... *(Completed Thursday, December 17, 1987)*
3. Education ..... 7 hrs., 30 mins.  
*(Includes supplementaries, Number 2)‡*
4. Office Responsible for  
    Senior Citizens' Affairs ..... 7 hrs., 30 mins.
5. Citizenship ..... 7 hrs., 30 mins.
6. Colleges and Universities ..... 7 hrs., 30 mins.  
*(Includes supplementaries, Number 1)†*
7. Community and Social Services ..... 7 hrs., 30 mins.  
*(Includes supplementaries, Number 1)†*  
*(Includes supplementaries, Number 2)‡*
8. Culture and Communications ..... 7 hrs., 30 mins.
9. Health ..... 7 hrs., 30 mins.  
*(Includes supplementaries, Number 1)†*  
*(Includes supplementaries, Number 2)‡*
10. Skills Development ..... —  
*(Supplementaries only, Number 1)†*
11. Office for Disabled Persons ..... —  
*(Supplementaries only, Number 1)†*

†Supplementary Estimates Number 1 Tabled December 17, 1987.

‡Supplementary Estimates Number 2 Tabled February 9, 1988.



# Orders and Notices

Legislative Assembly  
of the Province of Ontario



**1st Session, 34th Parliament**  
Monday, April 18, 1988

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## GOVERNMENT BILLS AND ORDERS

1. *Second Reading* Bill 4, An Act to amend the Metropolitan Toronto Police Force Complaints Act, 1984. *Mr Scott.* **PRINTED.**
2. *Second Reading* Bill 5, An Act to amend the Proceedings Against the Crown Act. *Mr Scott.* **PRINTED.**
3. *Second Reading* Bill 6, An Act to amend the Execution Act. *Mr Scott.* **PRINTED.**
4. *Second Reading* Bill 7, An Act to implement the Model Law on International Commercial Arbitration adopted by the United Nations Commission on International Trade Law. *Mr Scott.* **PRINTED.**

*Deuxième lecture* Projet de loi 7, Loi portant mise en application de la Loi type sur l'arbitrage commercial international adoptée par la Commission des Nations Unies pour le droit commercial international. *M. Scott.* **IMPRIMÉ.**

5. *Second Reading* Bill 9, An Act permitting Trustees and other Persons to dispose of South African investments. *Mr Scott.* **PRINTED.**

*Deuxième lecture* Projet de loi 9, Loi permettant aux fiduciaires et à d'autres personnes d'aliéner les placements sud-africains. *M. Scott.* **IMPRIMÉ.**

6. *Second Reading* Bill 15, An Act to amend the Barristers Act. *Mr Scott.* **PRINTED.**
7. *Second Reading* Bill 22, An Act to regulate Motor Vehicle Repairs. *Mr Wrye.* **PRINTED.**
8. *Second Reading* Bill 26, An Act to regulate Prepaid Services. *Mr Wrye.* **PRINTED.**
9. *Second Reading* Bill 27, An Act respecting Prearranged and Prepaid Funerals. *Mr Wrye.* **PRINTED.**
10. *Second Reading* Bill 28, An Act to amend the Funeral Services Act. *Mrs Caplan.* **PRINTED.**
11. *Second Reading* Bill 52, An Act to amend the Consumer Reporting Act. *Mr Wrye.* **PRINTED.**
12. *Second Reading* Bill 59, An Act to amend the Municipal Act and certain other Acts related to municipalities. *Mr Eakins.* **PRINTED.**
13. *Second Reading* Bill 66, An Act respecting Agricultural and Horticultural Organizations. *Mr Riddell.* **PRINTED.\***

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\*Lieutenant Governor's Recommendation received.



14. *Second Reading* Bill 68, An Act to promote the Conservation of Certain Land. *Mr Kerrio.* **PRINTED.**
15. *Second Reading* Bill 69, An Act to amend the Education Act. *Mr Ward.* **PRINTED.**
16. *Second Reading* Bill 70, An Act to amend the Education Act. *Mr Ward.* **PRINTED.**
17. *Second Reading* Bill 76, An Act to amend the Education Act and certain other Acts related to Education. *Mr Ward.* **PRINTED.**
18. *Second Reading* Bill 78, An Act respecting the Sale of Farm Implements. *Mr Riddell.* **PRINTED.**
19. *Second Reading* Bill 82, An Act respecting Energy Efficiency. *Mr Wong.* **PRINTED.**
20. *Second Reading* Bill 83, An Act respecting the Protection of Farm Practices. *Mr Riddell.* **PRINTED.**
21. *Second Reading* Bill 84, An Act to amend the Corporations Tax Act. *Mr Grandmaitre.* **PRINTED.\***
22. *Second Reading* Bill 85, An Act to amend the Mining Tax Act. *Mr Grandmaitre.* **PRINTED.\***
23. *Second Reading* Bill 86, An Act to amend the Highway Traffic Act. *Mr Fulton.* **PRINTED.**
24. *Second Reading* Bill 87, An Act to amend the Ontario Highway Transport Board Act. *Mr Fulton.* **PRINTED.**
25. *Second Reading* Bill 88, An Act to regulate Truck Transportation. *Mr Fulton.* **PRINTED.**
26. *Second Reading* Bill 90, An Act respecting the United Nations Convention on Contracts for the International Sale of Goods. *Mr Scott.* **PRINTED.**

*Deuxième lecture* Projet de loi 90, Loi concernant la Convention des Nations Unies sur les contrats de vente internationale de marchandises. *M. Scott.* **IMPRIMÉ.**

27. *Second Reading* Bill 93, An Act to revise the Justices of the Peace Act. *Mr Scott.* **PRINTED.**

*Deuxième lecture* Projet de loi 93, Loi portant révision de la Loi sur les juges de paix. *M. Scott.* **IMPRIMÉ.**

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\*Lieutenant Governor's Recommendation received.

28. *Second Reading* Bill 98, An Act to amend the Public Transportation and Highway Improvement Act. *Mr Fulton.* **PRINTED.**
  29. *Second Reading* Bill 99, An Act to amend the Ministry of Transportation and Communications Act. *Mr Fulton.* **PRINTED.**
  30. *Second Reading* Bill 100, An Act to amend the Education Act. *Mr Ward.* **PRINTED.**
  31. *Second Reading* Bill 101, An Act to repeal the Ministry of Transportation and Communications Creditors Payment Act. *Mr Fulton.* **PRINTED.**
  32. *Second Reading* Bill 102, An Act to amend the Construction Lien Act, 1983. *Mr Fulton.* **PRINTED.**
  33. *Second Reading* Bill 106, An Act to amend the Municipal Elections Act and the Municipal Act. *Mr Eakins.* **PRINTED.**
  34. *Second Reading* Bill 107, An Act to amend the Child and Family Services Act, 1984. *Mr Sweeney.* **PRINTED.**
  35. *Second Reading* Bill 108, An Act to amend the Rental Housing Protection Act, 1986. *Ms Hošek.* **PRINTED.**
  36. *Second Reading* Bill 109, An Act to establish a French-language School Board for The Regional Municipality of Ottawa-Carleton. *Mr Ward.*  
  
*Deuxième lecture* Projet de loi 109, Loi portant création d'un Conseil scolaire de langue française pour la municipalité régionale d'Ottawa-Carleton. *M. Ward.*
  37. *Resuming the Adjourned Debate* on the Motion for Adoption of the Recommendations contained in the Report of the Standing Committee on the Legislative Assembly on the Service of Process within the Precincts of the House.
  38. *Concurrence in Supply* for the Ministry of Treasury and Economics.
  39. *Concurrence in Supply* for the Ministry of Skills Development.
  40. *Concurrence in Supply* for the Ministry of Industry, Trade and Technology.
  41. *Concurrence in Supply* for the Office of the Provincial Auditor.
  42. *Concurrence in Supply* for the Office for Disabled Persons.
  43. *Concurrence in Supply* for the Ministry of Housing.
  44. *House in Committee of Supply.*
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## PRIVATE MEMBERS' PUBLIC BILLS AND ORDERS

### 45. *Committee of the Whole House:*

Bill 24, An Act to establish a Tourism Advisory Board. *Mr McLean.* **PRINTED.**

Bill 75, An Act to establish the Municipal Council Retirement Fund and to provide Retirement Allowances to Municipal Councillors. *Mr Cureatz.* **PRINTED.**

46. *Second Reading* Bill 3, An Act to protect the Public Health and Comfort and the Environment by Prohibiting and Controlling Smoking in Public Places. *Mr Sterling.* **PRINTED.**

47. *Second Reading* Bill 8, An Act to amend the Representation Act, 1986. *Mr Villeneuve.* **PRINTED.**

48. *Second Reading* Bill 10, An Act to amend the Election Act, 1984. *Mr Cousens.* **PRINTED.**

49. *Second Reading* Bill 12, An Act to ban Sunday racing and intertrack wagering at Greenwood Raceway and to change the composition and procedures of the Ontario Racing Commission. *Ms Bryden.* **PRINTED.**

50. *Second Reading* Bill 14, An Act to protect and enhance the Quality of Drinking Water in Ontario. *Mrs Grier.* **PRINTED.**

51. *Second Reading* Bill 16, An Act to encourage the Rehabilitation of Water Delivery Systems in Ontario. *Mrs Marland.* **PRINTED.**

52. *Second Reading* Bill 17, An Act to amend the Planning Act, 1983. *Mr Johnston (Scarborough West).* **PRINTED.**

53. *Second Reading* Bill 18, An Act to provide for the Conversion of Technologies and Skills used in the Nuclear Weapons Industry to Civilian Use. *Mr Johnston (Scarborough West).* **PRINTED.**

54. *Second Reading* Bill 23, An Act to proclaim 1995 as the 150th Anniversary of the arrival of Irish Immigrants in Canada. *Mr Pollock.* **PRINTED.**

55. *Second Reading* Bill 30, An Act to amend the Pension Benefits Act. *Mr Mackenzie.* **PRINTED.**

56. *Second Reading* Bill 31, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**

57. *Second Reading* Bill 32, An Act to provide for the Employment of Disabled Persons. *Mr Mackenzie.* **PRINTED.**

58. *Second Reading* Bill 33, An Act to amend the Education Act. *Mr Mackenzie.* **PRINTED.**

59. *Second Reading* Bill 34, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
60. *Second Reading* Bill 35, An Act to amend the Public Vehicles Act. *Mr Mackenzie.* **PRINTED.**
61. *Second Reading* Bill 36, An Act to provide Political Rights for Public Servants. *Mr Mackenzie.* **PRINTED.**
62. *Second Reading* Bill 37, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
63. *Second Reading* Bill 38, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
64. *Second Reading* Bill 39, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
65. *Second Reading* Bill 40, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
66. *Second Reading* Bill 41, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
67. *Second Reading* Bill 42, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
68. *Second Reading* Bill 43, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
69. *Second Reading* Bill 44, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
70. *Second Reading* Bill 45, An Act to amend the Children's Law Reform Act. *Mr Cousens.* **PRINTED.**
71. *Second Reading* Bill 47, An Act to amend the Highway Traffic Act. *Mrs Grier.* **PRINTED.**
72. *Second Reading* Bill 48, An Act to amend the Police Act. *Mr Eves.* **PRINTED.**
73. *Second Reading* Bill 49, An Act to relieve Persons from Liability in respect of voluntary Emergency Medical and First Aid Services. *Mr Haggerty.* **PRINTED.**
74. *Second Reading* Bill 53, An Act to provide for the Safety and Welfare of Crown Witnesses in Certain Criminal Proceedings. *Mr Runciman.* **PRINTED.**
75. *Second Reading* Bill 57, An Act to amend the Energy Act. *Mr Wildman.* **PRINTED.**



76. *Second Reading* Bill 60, An Act respecting the Sale of Farm Machinery and Equipment in Ontario. *Mr Wildman.* **PRINTED.**
77. *Second Reading* Bill 62, An Act to amend the Health Protection and Promotion Act, 1983. *Mr Henderson.* **PRINTED.**
78. *Second Reading* Bill 63, An Act to amend the Laboratory and Specimen Collection Centre Licensing Act. *Mr Henderson.* **PRINTED.**
79. *Second Reading* Bill 64, An Act to amend the Health Insurance Act. *Mr Henderson.* **PRINTED.**
80. *Second Reading* Bill 67, An Act to establish the East/Central Ontario Recreational Trails Commission. *Mr Pollock.* **PRINTED.**
81. *Second Reading* Bill 71, An Act to amend the Occupational Health and Safety Act. *Mr Rae (York South).* **PRINTED.**
82. *Second Reading* Bill 72, An Act respecting Simcoe Day. *Mr McLean.* **PRINTED.**
83. *Second Reading* Bill 73, An Act to amend the Public Service Superannuation Act. *Mr McLean.* **PRINTED.**
84. *Second Reading* Bill 74, An Act to amend the Legislative Assembly Retirement Allowances Act. *Mr McLean.* **PRINTED.**
85. *Second Reading* Bill 89, An Act requiring municipalities to establish Programs for the Recycling of Garbage. *Mrs Marland.* **PRINTED.**
86. *Second Reading* Bill 91, An Act to amend the Election Act. *Mr Sterling.* **PRINTED.**
87. *Second Reading* Bill 92, An Act to prevent unjust enrichment through the Financial Exploitation of Crime. *Mr Wildman.* **PRINTED.**
88. *Second Reading* Bill 94, An Act to prohibit Discrimination by Municipalities against Unrelated Persons Occupying Residential Property. *Mr Jackson.* **PRINTED.**
89. *Second Reading* Bill 95, An Act to amend the Children's Law Reform Act. *Mr Henderson.* **PRINTED.**
90. *Second Reading* Bill 96, An Act to amend the Highway Traffic Act. *Mr Wildman.* **PRINTED.**
91. *Second Reading* Bill 97, An Act to amend Human Rights Code, 1981. *Mr Reville.* **PRINTED.**
92. *Second Reading* Bill 103, An Act respecting Living Wills. *Mr Cureatz.* **PRINTED.**

93. *Second Reading* Bill 104, An Act to amend the Courts of Justice Act, 1984.  
*Mr Cureatz.* **PRINTED.**
94. *Second Reading* Bill 105, An Act to amend the Legislative Assembly Act.  
*Mr Cureatz.* **PRINTED.**
95. *Second Reading* Bill 110, An Act to declare Remembrance Day as a Holiday  
for Veterans. *Mr Henderson.* **PRINTED.**
96. *Second Reading* Bill 111, An Act to amend the Legislative Assembly Act.  
*Mr Swart.*
97. *Second Reading* Bill 112, An Act to amend the Legislative Assembly Act.  
*Mr Epp.* **PRINTED.**
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#### PRIVATE BILLS

98. *Second Reading* Bill Pr10, An Act respecting the Oshawa Public Utilities  
Commission. *Mr Breagh.* **PRINTED.**
99. *Second Reading* Bill Pr22, An Act respecting the City of Mississauga. *Mr  
Offer.* **REPRINTED.**
100. *Second Reading* Bill Pr62, An Act respecting The Windsor Utilities  
Commission. *Mr Ray (Windsor-Walkerville).* **PRINTED.**
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## NOTICES

### GOVERNMENT MOTIONS

6. *Mr. Peterson*—Resolution—WHEREAS the *Constitution Act, 1982* came into force on April 17, 1982, following an agreement between Canada and all the provinces except Quebec;

AND WHEREAS the Government of Quebec has established a set of five proposals for constitutional change and has stated that amendments to give effect to those proposals would enable Quebec to resume a full role in the constitutional councils of Canada;

AND WHEREAS the amendment proposed in the schedule hereto sets out the basis on which Quebec's five constitutional proposals may be met;

AND WHEREAS the amendment proposed in the schedule hereto also recognizes the principle of the equality of all the provinces, provides new arrangements to foster greater harmony and cooperation between the Government of Canada and the governments of the provinces and requires that conferences be convened to consider important constitutional, economic and other issues;

AND WHEREAS certain portions of the amendment proposed in the schedule hereto relate to matters referred to in section 41 of the *Constitution Act, 1982*;

AND WHEREAS section 41 of the *Constitution Act, 1982* provides that an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and the House of Commons and of the legislative assembly of each province;

NOW THEREFORE the Legislative Assembly of Ontario resolves that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by Her Excellency the Governor General under the Great Seal of Canada in accordance with the schedule hereto.

### SCHEDULE

#### CONSTITUTION AMENDMENT, 1987

##### *Constitution Act, 1867*

1. The *Constitution Act, 1867* is amended by adding thereto, immediately after section 1 thereof, the following section:

Inter-  
pretation

“2. (1) The Constitution of Canada shall be interpreted in a manner consistent with

(a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present elsewhere

in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada; and

(b) the recognition that Quebec constitutes within Canada a distinct society.

Role of  
Parliament  
and  
legislatures

(2) The role of the Parliament of Canada and the provincial legislatures to preserve the fundamental characteristic of Canada referred to in paragraph (1)(a) is affirmed.

Role of  
legislature  
and  
Government  
of Quebec

(3) The role of the legislature and Government of Quebec to preserve and promote the distinct identity of Quebec referred to in paragraph (1)(b) is affirmed.

Rights of  
legislatures  
and  
governments  
preserved

(4) Nothing in this section derogates from the powers, rights or privileges of Parliament or the Government of Canada, or of the legislatures or governments of the provinces, including any powers, rights or privileges relating to language."

2. The said Act is further amended by adding thereto, immediately after section 24 thereof, the following section:

Names to be  
submitted

"25. (1) Where a vacancy occurs in the Senate, the Government of the province to which the vacancy relates may, in relation to that vacancy, submit to the Queen's Privy Council for Canada the names of persons who may be summoned to the Senate.

Choice of  
Senators  
from names  
submitted

(2) Until an amendment to the Constitution of Canada is made in relation to the Senate pursuant to section 41 of the *Constitution Act, 1982*, the person summoned to fill a vacancy in the Senate shall be chosen from among persons whose names have been submitted under subsection (1) by the government of the province to which the vacancy relates and must be acceptable to the Queen's Privy Council for Canada."

3. The said Act is further amended by adding thereto, immediately after section 95 thereof, the following heading and sections:

#### *"Agreements on Immigration and Aliens*

Commitment  
to negotiate

95A. The Government of Canada shall, at the request of the government of any province, negotiate with the government of that province for the purpose of concluding an agreement relating to immigration or the temporary admission of aliens into that province that is appropriate to the needs and circumstances of that province.



## Agreements

**95B.** (1) Any agreement concluded between Canada and a province in relation to immigration or the temporary admission of aliens into that province has the force of law from the time it is declared to do so in accordance with subsection 95C(1) and shall from that time have effect notwithstanding class 25 of section 91 or section 95.

## Limitation

(2) An agreement that has the force of law under subsection (1) shall have effect only so long and so far as it is not repugnant to any provision of an Act of the Parliament of Canada that sets national standards and objectives relating to immigration or aliens, including any provision that establishes general classes of immigrants or relates to levels of immigration for Canada or that prescribes classes of individuals who are inadmissible into Canada.

## Application of Charter

(3) The *Canadian Charter of Rights and Freedoms* applies in respect of any agreement that has the force of law under subsection (1) and in respect of anything done by the Parliament or Government of Canada, or the legislature or government of a province, pursuant to any such agreement.

## Proclamation relating to agreements

**95C.** (1) A declaration that an agreement referred to in subsection 95B(1) has the force of law may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement.

## Amendment of agreements

(2) An amendment to an agreement referred to in subsection 95B(1) may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized

(a) by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement; or

(b) in such other manner as is set out in the agreement.

Application of sections 46 to 48 of *Constitution Act, 1982*

**95D.** Sections 46 to 48 of the *Constitution Act, 1982* apply, with such modifications as the circumstances require, in respect of any declaration made pursuant to subsection 95C(1), any amendment to an agreement made pursuant to subsection 95C(2) or any amendment made pursuant to section 95E.

## Amendments to sections 95A to 95D or this section

**95E.** An amendment to sections 95A to 95D or this section may be made in accordance with the procedure set out in subsection 38(1) of the *Constitution Act, 1982*, but only if the amendment is authorized by resolutions of the legislative assemblies of all the provinces that are, at the time of the

amendment, parties to an agreement that has the force of law under subsection 95B(1).”

4. The said Act is further amended by adding thereto, immediately preceding section 96 thereof, the following heading:

*“General”*

5. The said Act is further amended by adding thereto, immediately preceding section 101 thereof, the following heading:

*“Courts Established by the Parliament of Canada”*

6. The said Act is further amended by adding thereto, immediately after section 101 thereof, the following heading and sections:

*“Supreme Court of Canada*

Supreme  
Court  
continued

**101A.** (1) The court existing under the name of the Supreme Court of Canada is hereby continued as the general court of appeal for Canada, and as an additional court for the better administration of the laws of Canada, and shall continue to be a superior court of record.

Constitution  
of court

(2) The Supreme Court of Canada shall consist of a chief justice to be called the Chief Justice of Canada and eight other judges, who shall be appointed by the Governor General in Council by letters patent under the Great Seal.

Who may be  
appointed  
judges

**101B.** (1) Any person may be appointed a judge of the Supreme Court of Canada who, after having been admitted to the bar of any province or territory, has, for a total of at least ten years, been a judge of any court in Canada or a member of the bar of any province or territory.

Three judges  
from Quebec

(2) At least three judges of the Supreme Court of Canada shall be appointed from among persons who, after having been admitted to the bar of Quebec, have, for a total of at least ten years, been judges of any court of Quebec or of any court established by the Parliament of Canada, or members of the bar of Quebec.

Names may  
be submitted

**101C.** (1) Where a vacancy occurs in the Supreme Court of Canada, the government of each province may, in relation to that vacancy, submit to the Minister of Justice of Canada the names of any of the persons who have been admitted to the bar of that province and are qualified under section 101B for appointment to that court.

Appointment  
from names  
submitted

(2) Where an appointment is made to the Supreme Court of Canada, the Governor General in Council shall, except

where the Chief Justice is appointed from among members of the Court, appoint a person whose name has been submitted under subsection (1) and who is acceptable to the Queen's Privy Council for Canada.

Appointment  
from Quebec

(3) Where an appointment is made in accordance with subsection (2) of any of the three judges necessary to meet the requirement set out in subsection 101B(2), the Governor General in Council shall appoint a person whose name has been submitted by the Government of Quebec.

Appointment  
from other  
provinces

(4) Where an appointment is made in accordance with subsection (2) otherwise than as required under subsection (3), the Governor General in Council shall appoint a person whose name has been submitted by the government of a province other than Quebec.

Tenure,  
salaries, etc.  
of judges

**101D.** Sections 99 and 100 apply in respect of the judges of the Supreme Court of Canada.

Relationship  
to section 101

**101E.** (1) Sections 101A to 101D shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws under section 101 except to the extent that such laws are inconsistent with those sections.

References  
to the  
Supreme  
Court of  
Canada

(2) For greater certainty, section 101A shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws relating to the reference of questions of law or fact, or any other matters, to the Supreme Court of Canada."

7. The said Act is further amended by adding thereto, immediately after section 106 thereof, the following section:

Shared-cost  
program

**"106A.** (1) The Government of Canada shall provide reasonable compensation to the government of a province that chooses not to participate in a national shared-cost program that is established by the Government of Canada after the coming into force of this section in an area of exclusive provincial jurisdiction, if the province carries on a program or initiative that is compatible with the national objectives.

Legislative  
power not  
extended

(2) Nothing in this section extends the legislative powers of the Parliament of Canada or of the legislatures of the provinces."

8. The said Act is further amended by adding thereto the following heading and sections:

“XII — CONFERENCES ON THE ECONOMY AND OTHER  
MATTERS

Conferences  
on the  
economy and  
other matters

**148.** A conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year to discuss the state of Canadian economy and such other matters as may be appropriate.

XIII — REFERENCES

Reference  
includes  
amendments

**149.** A reference to this Act shall be deemed to include a reference to any amendments thereto.”

*Constitution Act, 1982*

**9.** Sections 40 to 42 of the *Constitution Act, 1982* are repealed and the following substituted therefor:

Compensation

“**40.** Where an amendment is made under subsection 38(1) that transfers legislative powers from provincial legislatures to Parliament, Canada shall provide reasonable compensation to any province to which the amendment does not apply.

Amendment  
by  
unanimous  
consent

**41.** An amendment to the Constitution of Canada in relation to the following matters may be made by proclamation issued by the Governor General under the Great Seal of Canada only where authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province:

(a) the office of the Queen, the Governor General and the Lieutenant Governor of a province;

(b) the powers of the Senate and the method of selecting Senators;

(c) the number of members by which a province is entitled to be represented in the Senate and the residence qualifications of Senators;

(d) the right of a province to a number of members in the House of Commons not less than the number of Senators by which the province was entitled to be represented on April 17, 1982;

(e) the principle of proportionate representation of the provinces in the House of Commons prescribed by the Constitution of Canada;

(f) subject to section 43, the use of the English or the French language;



(g) the Supreme Court of Canada;

(h) the extension of existing provinces into the territories;

(i) notwithstanding any other law or practice, the establishment of new provinces; and

(j) an amendment to this Part.”

**10.** Section 44 of the said Act is repealed and the following substituted therefor:

Amendments  
by  
Parliament

“**44.** Subject to section 41, Parliament may exclusively make laws amending the Constitution of Canada in relation to the executive government of Canada or the Senate and House of Commons.”

**11.** Subsection 46(1) of the said Act is repealed and the following substituted therefor:

Initiation of  
amendment  
procedures

“**46.** (1) The procedures for amendment under sections 38, 41 and 43 may be initiated either by the Senate or the House of Commons or by the legislative assembly of a province.”

**12.** Subsection 47(1) of the said Act is repealed and the following substituted therefor:

Amendments  
without  
Senate  
resolution

“**47.** (1) An amendment to the Constitution of Canada made by proclamation under section 38, 41 or 43 may be made without a resolution of the Senate authorizing the issue of the proclamation if, within one hundred and eighty days after the adoption by the House of Commons of a resolution authorizing its issue, the Senate has not adopted such a resolution and if, at any time after the expiration of that period, the House of Commons again adopts the resolution.”

**13.** Part VI of the said Act is repealed and the following substituted therefor:

#### “PART VI

#### CONSTITUTIONAL CONFERENCES

Constitu-  
tional  
conference

**50.** (1) A constitutional conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year, commencing in 1988.

Agenda

(2) The conferences convened under subsection (1) shall have included on their agenda the following matters:

(a) Senate reform, including the role and functions of the Senate, its powers, the method of selecting Senators and representation in the Senate;

(b) roles and responsibilities in relation to fisheries; and

(c) such other matters as are agreed upon.”

14. Subsection 52(2) of the said Act is amended by striking out the word “and” at the end of paragraph (b) thereof, by adding the word “and” at the end of paragraph (c) thereof and by adding thereto the following paragraph:

“(d) any other amendment to the Constitution of Canada.”

15. Section 61 of the said Act is repealed and the following substituted therefor:

References

“61. A reference to the *Constitution Act, 1982*, or a reference to the *Constitution Acts 1867 to 1982*, shall be deemed to include a reference to any amendments thereto.”

#### General

Multicultural  
heritage and  
aboriginal  
people

16. Nothing in section 2 of the *Constitution Act, 1867* affects section 25 or 27 of the *Canadian Charter of Rights and Freedoms*, section 35 of the *Constitution Act, 1982* or class 24 of section 91 of the *Constitution Act, 1867*.

#### CITATION

Citation

17. This amendment may be cited as the *Constitution Amendment, 1987. November 24, 1987*.

M. Peterson—Résolution—

Attendu :

que la *Loi constitutionnelle de 1982* est entrée en vigueur le 17 avril 1982, à la suite d'un accord conclu entre le Canada et toutes les provinces, sauf le Québec;

que, selon le gouvernement du Québec, l'adoption de modifications visant à donner effet à ses cinq propositions de révision constitutionnelle permettrait au Québec de jouer pleinement de nouveau son rôle dans les instances constitutionnelles canadiennes;

que le projet de modification figurant en annexe présente les modalités d'un règlement relatif aux cinq propositions du Québec;

que le projet reconnaît le principe de l'égalité de toutes les provinces et prévoit, d'une part, de nouveaux arrangements propres à renforcer l'harmonie et la coopération entre le gouvernement du Canada et ceux des provinces, d'autre part la tenue de conférences consacrées à l'étude d'importantes questions constitutionnelles, économiques et autres;

que le projet porte en partie sur des questions visées à l'article 41 de la *Loi constitutionnelle de 1982*;

que cet article prévoit que la Constitution du Canada peut être modifiée par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de chaque province,

l'Assemblée législative de l'Ontario a résolu d'autoriser la modification de la Constitution du Canada par proclamation de Son Excellence le gouverneur général sous le grand sceau du Canada, en conformité avec l'annexe ci-jointe.

## ANNEXE

### MODIFICATION CONSTITUTIONNELLE DE 1987

#### *Loi constitutionnelle de 1867*

1. La *Loi constitutionnelle de 1867* est modifiée par insertion, après l'article 1, de ce qui suit:

Règle  
interprétative

«2. (1) Toute interprétation de la Constitution du Canada doit concorder avec :

a) la reconnaissance de ce que l'existence de Canadiens d'expression française, concentrés au Québec mais présents aussi dans le reste du pays, et de Canadiens d'expression anglaise, concentrés dans le reste du pays mais aussi présents au Québec, constitue une caractéristique fondamentale du Canada;

b) la reconnaissance de ce que le Québec forme au sein du Canada une société distincte.

Rôle du  
Parlement et  
des  
législatures

(2) Le Parlement du Canada et les législatures des provinces ont le rôle de protéger la caractéristique fondamentale du Canada visée à l'alinéa (1) a).

Rôle de la  
législature et  
du gouverne-  
ment du  
Québec

(3) La législature et le gouvernement du Québec ont le rôle de protéger et de promouvoir le caractère distinct du Québec visé à l'alinéa (1) b).

Maintien des  
droits des  
législatures et  
gouverne-  
ments

(4) Le présent article n'a pas pour effet de déroger aux pouvoirs, droits ou privilèges du Parlement ou du gouvernement du Canada, ou des législatures ou des gouvernements des provinces, y compris à leurs pouvoirs, droits ou privilèges en matière de langue.»

2. La même loi est modifiée par insertion, après l'article 24, de ce qui suit :

Propositions

«25. (1) En cas de vacance au Sénat, le gouvernement de la province à représenter peut proposer au Conseil privé de la Reine pour le Canada des personnes susceptibles d'être nommées au siège vacant.

Choix des  
sénateurs

(2) Jusqu'à la modification, faite conformément à l'article 41 de la *Loi constitutionnelle de 1982*, de toute disposition de la Constitution du Canada relative au Sénat, les personnes nommées aux sièges vacants au Sénat sont choisies parmi celles qui ont été proposées par le gouvernement de la province à représenter et agréées par le Conseil privé de la Reine pour le Canada.»

3. La même loi est modifiée par insertion, après l'article 95, de ce qui suit :

*«Accords relatifs à l'immigration et aux aubains*

Engagement

**95A.** Sur demande du gouvernement d'une province, le gouvernement du Canada négocie avec lui en vue de conclure, en matière d'immigration ou d'admission temporaire des aubains dans la province, un accord adapté aux besoins et à la situation particulière de celle-ci.

Accords

**95B.** (1) Tout accord conclu entre le Canada et une province en matière d'immigration ou d'admission temporaire des aubains dans la province a, une fois faite la déclaration visée au paragraphe 95C(1), force de loi et a dès lors effet indépendamment tant du point 25 de l'article 91 que de l'article 95.



## Restriction

(2) L'accord ayant ainsi force de loi n'a d'effet que dans la mesure de sa compatibilité avec les dispositions des lois du Parlement du Canada qui fixent des normes et objectifs nationaux relatifs à l'immigration et aux aubains, notamment en ce qui concerne l'établissement des catégories générales d'immigrants, les niveaux d'immigration au Canada et la détermination des catégories de personnes inadmissibles au Canada.

## Application de la Charte

(3) La *Charte canadienne des droits et libertés* s'applique aux accords ayant ainsi force de loi et à toute mesure prise sous leur régime par le Parlement ou le gouvernement du Canada ou par la législature ou le gouvernement d'une province.

## Proclamation relative aux accords

**95C.** (1) La déclaration portant qu'un accord visé au paragraphe 95B(1) a force de loi se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord.

## Modification des accords

(2) La modification d'un accord visé au paragraphe 95B(1) se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée :

a) soit par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord;

b) soit selon les modalités prévues dans l'accord même.

Application des articles 46 à 48 de la *Loi constitutionnelle de 1982*

**95D.** Les articles 46 à 48 de la *Loi constitutionnelle de 1982* s'appliquent, avec les adaptations nécessaires, à toute déclaration faite aux termes du paragraphe 95C(1), à toute modification d'un accord faite aux termes du paragraphe 95C(2) ou à toute modification faite aux termes de l'article 95E.

## Modification des articles 95A à 95D ou du présent article

**95E.** Les articles 95A à 95D ou le présent article peuvent être modifiés conformément au paragraphe 38(1) de la *Loi constitutionnelle de 1982*, à condition que la modification soit autorisée par des résolutions des assemblées législatives de toutes les provinces qui sont, à l'époque de celle-ci, parties à un accord ayant force de loi aux termes du paragraphe 95B(1).»

4. La même loi est modifiée par insertion, avant l'article 96, de ce qui suit :

## «Dispositions générales»

5. La même loi est modifiée par insertion, avant l'article 101, de ce qui suit :

*«Tribunaux créés par le Parlement du Canada»*

6. La même loi est modifiée par insertion, après l'article 101, de ce qui suit :

*«Cour suprême du Canada*

Maintien de  
la Cour  
suprême  
du Canada

**101A.** (1) La cour qui existe sous le nom de Cour suprême du Canada est maintenue à titre de cour générale d'appel pour le Canada et de cour additionnelle propre à améliorer l'application des lois du Canada. Elle conserve ses attributions de cour supérieure d'archives.

Composition

(2) La Cour suprême du Canada se compose du juge en chef, appelé juge en chef du Canada, et de huit autres juges, que nomme le gouverneur général en conseil par lettres patentes sous le grand sceau.

Conditions  
de  
nomination

**101B.** (1) Les juges sont choisis parmi les personnes qui, après avoir été admises au barreau d'une province ou d'un territoire, ont, pendant au moins dix ans au total, été juges de n'importe quel tribunal du pays ou inscrites au barreau de n'importe quelle province ou de n'importe quel territoire.

Québec :  
trois juges

(2) Au moins trois des juges sont choisis parmi les personnes qui, après avoir été admises au barreau du Québec, ont, pendant au moins dix ans au total, été inscrites à ce barreau ou juges d'un tribunal du Québec ou d'un tribunal créé par le Parlement du Canada.

Propositions  
de  
nomination

**101C.** (1) En cas de vacance à la Cour suprême du Canada, le gouvernement de chaque province peut proposer au ministre fédéral de la Justice, pour la charge devenue vacante, des personnes admises au barreau de cette province et remplissant les conditions visées à l'article 101B.

Nomination  
parmi les  
personnes  
proposées

(2) Le gouverneur général en conseil procède aux nominations parmi les personnes proposées et qui agréent au Conseil privé de la Reine pour le Canada; le présent paragraphe ne s'applique pas à la nomination du juge en chef dans les cas où il est choisi parmi les juges de la Cour suprême du Canada.

Nomination  
parmi les  
personnes  
proposées  
par le  
Québec

(3) Dans le cas de chacune de trois nominations à faire conformément au paragraphe 101B(2), le gouverneur général en conseil nomme une personne proposée par le gouvernement du Québec.

Nomination  
parmi les  
personnes  
proposées  
par les autres  
provinces

(4) Dans le cas de toute autre nomination, le gouverneur général en conseil nomme une personne proposée par le gouvernement d'une autre province que le Québec.

Inamovibilité,  
traitement,  
etc.

**101D.** Les articles 99 et 100 s'appliquent aux juges de la Cour suprême du Canada.

Rapport avec  
l'article 101

**101E.** (1) Sous réserve que ne soient pas adoptées, dans les matières visées à l'article 101, de dispositions incompatibles avec les articles 101A à 101D, ceux-ci n'ont pas pour effet de porter atteinte à la compétence législative conférée au Parlement du Canada en ces matières.

Renvois à la  
Cour  
suprême du  
Canada

(2) Il est entendu que l'article 101A n'a pas pour effet de porter atteinte à la compétence législative du Parlement du Canada en ce qui concerne le renvoi à la Cour suprême du Canada de questions de droit ou de fait, ou de toute autre question.»

**7.** La même loi est modifiée par insertion, après l'article 106, de ce qui suit :

Programmes  
cofinancés

«**106A.** (1) Le gouvernement du Canada fournit une juste compensation au gouvernement d'une province qui choisit de ne pas participer à un programme national cofinancé qu'il établit après l'entrée en vigueur du présent article dans un secteur de compétence exclusive provinciale, si la province applique un programme ou une mesure compatible avec les objectifs nationaux.

Non-élargis-  
sement des  
compétences  
législatives

(2) Le présent article n'élargit pas les compétences législatives du Parlement du Canada ou des législatures des provinces.»

**8.** La même loi est modifiée par insertion, après l'article 147, de ce qui suit :

#### «XII. — CONFÉRENCES SUR L'ÉCONOMIE ET SUR D'AUTRES QUESTIONS

Convocation

**148.** Le premier ministre du Canada convoque au moins une fois par an une conférence réunissant les premiers ministres provinciaux et lui-même et portant sur l'économie canadienne ainsi que sur toute autre question appropriée.

#### XIII. — MENTIONS

Présomption

**149.** Toute mention de la présente loi est réputée constituer également une mention de ses modifications.»

#### *Loi constitutionnelle de 1982*

**9.** Les articles 40 à 42 de la *Loi constitutionnelle de 1982* sont abrogés et remplacés par ce qui suit :

Compensation

«40. Le Canada fournit une juste compensation aux provinces auxquelles ne s'applique pas une modification faite conformément au paragraphe 38(1) et relative à un transfert de compétences législatives provinciales au Parlement.

Consentement  
unanime

41. Toute modification de la Constitution du Canada portant sur les questions suivantes se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de chaque province :

a) la charge de Reine, celle de gouverneur général et celle de lieutenant-gouverneur;

b) les pouvoirs du Sénat et le mode de sélection des sénateurs;

c) le nombre des sénateurs par lesquels une province est habilitée à être représentée et les conditions de résidence qu'ils doivent remplir;

d) le droit d'une province d'avoir à la Chambre des communes un nombre de députés au moins égal à celui des sénateurs par lesquels elle était habilitée à être représentée le 17 avril 1982;

e) le principe de la représentation proportionnelle des provinces à la Chambre des communes prévu par la Constitution du Canada;

f) sous réserve de l'article 43, l'usage du français ou de l'anglais;

g) la Cour suprême du Canada;

h) le rattachement aux provinces existantes de tout ou partie des territoires;

i) par dérogation à toute autre loi ou usage, la création de provinces;

j) la modification de la présente partie.»

10. L'article 44 de la même loi est abrogé et remplacé par ce qui suit :

Modification  
par le  
Parlement

«44. Sous réserve de l'article 41, le Parlement a compétence exclusive pour modifier les dispositions de la Constitution du Canada relatives au pouvoir exécutif fédéral, au Sénat ou à la Chambre des communes.»



**11.** Le paragraphe 46(1) de la même loi est abrogé et remplacé par ce qui suit :

Initiative des  
procédures

«**46.** (1) L'initiative des procédures de modification visées aux articles 38, 41 et 43 appartient au Sénat, à la Chambre des communes ou à une assemblée législative.»

**12.** Le paragraphe 47(1) de la même loi est abrogé et remplacé par ce qui suit :

Modification  
sans  
résolution du  
Sénat

«**47.**(1) Dans les cas visés à l'article 38, 41 ou 43, il peut être passé outre au défaut d'autorisation du Sénat si celui-ci n'a pas adopté de résolution dans un délai de cent quatre-vingts jours suivant l'adoption de celle de la Chambre des communes et si cette dernière, après l'expiration du délai, adopte une nouvelle résolution dans le même sens.»

**13.** La partie VI de la même loi est abrogée et remplacée par ce qui suit :

#### «PARTIE VI

#### CONFÉRENCES CONSTITUTIONNELLES

Convocation

**50.** (1) Le premier ministre du Canada convoque au moins une fois par an une conférence constitutionnelle réunissant les premiers ministres provinciaux et lui-même, la première devant avoir lieu en 1988.

Ordre du  
jour

(2) Sont placées à l'ordre du jour de ces conférences les questions suivantes :

*a)* la réforme du Sénat, y compris son rôle et ses fonctions, ses pouvoirs, le mode de sélection des sénateurs et la représentation au Sénat;

*b)* les rôles et les responsabilités en matière de pêches;

*c)* toutes autres questions dont il est convenu.»

**14.** Le paragraphe 52(2) de la même loi est modifié par adjonction de ce qui suit :

«*d)* les autres modifications qui lui sont apportées.»

**15.** L'article 61 de la même loi est abrogé et remplacé par ce qui suit :

Mentions

«**61.** Toute mention de la *Loi constitutionnelle de 1982* ou des *Lois constitutionnelles de 1867 à 1982* est réputée constituer également une mention de leurs modifications.»

*Dispositions générales*

Patrimoine  
multiculturel  
et peuples  
autochtones

**16.** L'article 2 de la *Loi constitutionnelle de 1867* n'a pas pour effet de porter atteinte aux articles 25 ou 27 de la *Charte canadienne des droits et libertés*, à l'article 35 de la *Loi constitutionnelle de 1982* ou au point 24 de l'article 91 de la *Loi constitutionnelle de 1867*.

## TITRE

Titre

**17.** Titre de la présente modification : *Modification constitutionnelle de 1987. Le 24 novembre 1987.*

10. *Mr Conway*—Resolution—That the 1987-1988 Estimates and Supplementary Estimates which have not yet been passed by the committees and reported to the House be deemed to be passed and reported to the House, and that the 1987-1988 Estimates and Supplementary Estimates be deemed to be concurred in. *April 7, 1988.*

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**MOTION OF NON-CONFIDENCE  
UNDER STANDING ORDER 70 (a)**

1. *Mr Rae* (York South)—Notice—That the Government lacks the confidence of this House because of its abject failure to provide decent, affordable housing for the working families of Ontario—in particular, through its failure to increase the supply of affordable housing; through its failure to protect the existing housing stock; and through its failure to protect tenants. *April 11, 1988.*
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## PRIVATE MEMBERS' MOTIONS

1. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that huge rent increases year after year are constituting a threat to the competitiveness and survival of retail business in commercial strips serving residential neighbourhoods, the Government of Ontario should introduce legislation as soon as possible to regulate the rents for such business establishments in order to provide those businesses with protection from gouging landlords comparable to the protection given to tenants of residential rental premises under the Residential Rent Regulation Act, 1986. *November 10, 1987.*
2. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that part-time workers in both the public and private sector are discriminated against by the denial of many benefits and rights provided to other workers in the same establishment, a charter of rights for part-time workers should be added to both the Employment Standards Act and the Labour Relations Act to provide pro rata benefits and collective bargaining rights to such workers and that they be made eligible for severance pay and retraining and readjustment programs provided for other workers displaced by technological change in the same establishment. *November 10, 1987.*
4. *Mr Morin-Strom*—Resolution—That, in the opinion of this House, recognizing the importance of the TransCanada Highway to our nation and to our province, the government of Ontario should upgrade the TransCanada Highway to a modern four-lane system through Northern Ontario to the Manitoba border, and that the government should immediately commence design and schedule construction to ensure completion across Northern Ontario by 1997. *November 18, 1987.*
9. *Mr Wildman*—Resolution—That, in the opinion of this House, the plans of the Canada Post Corporation to close, amalgamate or franchise many rural post offices and to eliminate or tender rural route services in order to reduce its operating deficit would reduce essential mail services from many rural Ontario communities, causing severe hardship and inconvenience to rural Ontarians, particularly the elderly and disabled; the Government of Ontario should urge the Government of Canada to halt, immediately, these plans to cut service and maintain and improve rural postal services across Ontario. *December 8, 1987.*
10. *Mr Swart*—Resolution—That, in the opinion of this House, recognizing the particular desirability of the protection of consumers of bereavement services from the business practices associated with corporate concentration and the desirability of fostering and encouraging the small business sector in Ontario, the Government of Ontario should introduce legislation as soon as possible to further regulate the bereavement industry to ensure the following:
  1. That a Board of Bereavement Services, composed of representatives of the public and the various sectors and sub-sectors of the bereavement services industry, be constituted to make recommendations to

the Minister of Consumer and Commercial Relations and the Minister of Health on further reforms of the regulation of bereavement services and to act as the licensing and regulating body for funeral directors, funeral service establishments, cemeteterians, cemeteries, monument builders and monument building firms;

2. That the bereavement services industry be divided into three sectors, consisting of cemeteries, funeral services and monument builders and that no proprietor, partnership or corporate entity be allowed to offer services in more than one of these sectors and that any operator who currently offers services in more than one of the sectors be allowed five years to divest itself of operations in more than one sector and where one corporate entity owns more than twenty-five per cent of the shares in other corporate entities operating in more than one of the sectors, relations between such entities shall be at arm's length;
  3. That funeral service establishments may act as agents for monument building firms in rural areas where the Board of Bereavement Services establishes that a consumer need exists and where there is no monument building firm willing to establish in such rural areas;
  4. That the ownership of any proprietorship, partnership or corporate entity involved in the provision of bereavement services must be fully disclosed to the public, including the names of all shareholders in a corporate entity who hold more than ten per cent of the shares in such entity;
  5. That no funeral service facility be allowed on the grounds of, or adjoining the grounds of, a cemetery;
  6. That for the purpose of provincial business and corporate income taxation, as well as for the purpose of municipal property taxation, cemeteries be categorized as either non-profit or commercial and that those categorized as non-profit be exempt from income and property tax and those categorized as commercial be subject to income taxation and to property taxation on all lands less each grave space occupied by a deceased person;
  7. That funeral services be sold only by a licensed funeral director through a licensed funeral service establishment, cemetery services be sold only by a licensed cemeteterian through a licensed cemetery and upright monument services be sold only by a licensed monument builder through a licensed monument building firm; and
  8. That there be no telephone or door-to-door solicitation of funeral, cemetery or monument services. *December 14, 1987.*
12. *Mr Runciman*—Resolution—That, in the opinion of this House, recognizing that there have been twenty-eight bank branch closures across Ontario between 1982 and 1986 which have left many small communities without adequate banking services, the Government of Ontario should review all requests for satellite banking services and establish Province of Ontario



Savings Offices in those areas where population levels demonstrate a need for them and where financial benefit can be determined. *December 15, 1987.*

13. *Mr Sterling*—Resolution—That, in the opinion of this House, recognizing the devastating and lethal impact of tobacco on the health of our citizenry, and recognizing the tobacco industry's attempt to advertise in a manner designed to undermine the health warnings of its hazardous product, the Government of Ontario should pursue every opportunity to express its support for the Federal Government's initiative, Bill C-51, the *Tobacco Products Control Act*, An Act to prohibit the advertising and promotion and respecting the labelling and monitoring of tobacco products. *December 15, 1987.*

16 and 17. *Debated April 14, 1988.*

19. *Mr Swart*—Resolution—That, in the opinion of this House, recognizing the need for the expansion of hospital beds and related facilities in scores of communities across the province, and given the undesirability of using the regressive property tax system for funding such construction or renovation, the Lieutenant Governor-in-Council should amend Ontario Regulation 859 under the Public Hospitals Act which now limits provincial contributions to a ceiling of two thirds (five sixths on the North)—a ceiling seldom reached—to allow the provincial contribution to be 100% of the costs. *April 7, 1988.*

20. *Mr Cooke* (Windsor-Riverside)—Resolution—That, in the opinion of this House, recognizing that the scope and recommendations of the Task Force on Inflation Protection for Employment Pension Plans failed to meet the concerns of workers and most particularly retirees whose pensions have already been eroded by inflation but who will get nothing from these proposals, this Legislature strongly urges the Government of Ontario to:

- introduce legislation to require indexation of all pensions with the same indexing formula applicable to current plan members, current pensioners and those entitled to a deferred pension.

- place an immediate moratorium on the use of contribution holidays which are, in fact just another means of surplus withdrawals. *April 13, 1988.*

21. *Mr Carrothers*—Resolution—That, in the opinion of this House, recognizing that cancer continues to be a major source of fatality in Ontario and recognizing the need for extensive research, diagnosis and treatment, the Government of Ontario should support the development of a community based cancer clinic network. *April 14, 1988.*

22. *Mr Harris*—Resolution—That, in the opinion of this House, all future legislation which would establish an agency, board, commission or regulatory system or create new direct expenditures or tax expenditures must contain a sunset provision which would, after a specified period of time, require mandatory review of the original legislation by a committee of this House.

The Committee would be mandated to report to this House on the impact of the legislation, the degree to which the program and policy objectives have been met and make recommendations as to whether the legislation, regulations, program or agency should be continued, terminated or amended. Further, this House is of the opinion that all existing legislation which has established an agency, board, commission or regulatory system or created new direct expenditures or tax expenditures should, over the next five years be reviewed by a committee of this House with the mandate indicated above. *April 14, 1988.*

23. *Mr Runciman*—Resolution—That, in the opinion of this House, the Premier of Ontario should institute a system whereby any supplementary appropriations approved by Management Board of Cabinet are referred within 15 days of approval to the Standing Committee on Public Accounts for its consideration. *April 18, 1988.*
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## QUESTIONS

*(Questions are to appear on the day after they are tabled and on every subsequent day in the week they are tabled and then subsequently only on each Monday until an Answer (other than an Interim Answer) is tabled. A question tabled on a Thursday will appear on each day of the following week.)*

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31. *Mr Cousens*—Enquiry of the Ministry—Would the Attorney General provide a list of the requests for legal advice made by the Government of Ontario to the legal firm of Blake Cassels since May of 1985 and the resultant billings from this legal work. *December 3, 1987. Interim Answer* tabled December 14, 1987. Approximate date information available January 29, 1988.
  
67. *Mr Harris*—Enquiry of the Ministry—Would each Minister provide a list of those persons who have left their communications branch since June 1985, what the position was and whether that position has been filled. *December 9, 1987. Interim Answer* tabled December 29, 1987. Approximate date information available March 31, 1988.
  
68. *Mr Harris*—Enquiry of the Ministry—Would each Minister provide a list of those persons who have joined their communications branch since June 1985, what positions they have been hired for, what is the salary range for the position, was there an open or internal competition for the position and what advertising for the position took place. *December 9, 1987. Interim Answer* tabled December 29, 1987. Approximate date information available March 31, 1988.
  
69. *Mr Philip (Etobicoke-Rexdale)*—Enquiry of the Ministry—Would each Minister inform the House of the following: (1) the cost of the annual report for the last 3 fiscal years; (2) the breakdown of the component costs of the annual report such as design, layout and printing; (3) the cost of work contracted out and work done by ministry staff; (4) the number of copies printed; (5) a list of all outside contracts; (6) which contracts were tendered and supply a detailed description of the tendering process; and (7) in the case of any contract not tendered the reasons for not tendering. *December 10, 1987. Interim Answer* tabled December 22, 1987. Approximate date information available May 16, 1988.
  
70. *Answered April 14, 1988.*
  
71. *Mr McLean*—Enquiry of the Ministry—Would the Minister of Government Services provide the cost for the new furniture and televisions for the office of all Ministers and their staff, as well as all members of the Legislature since June of 1985. *December 15, 1987. Interim Answer* tabled December 29, 1987. Approximate date information available February 29, 1988.
  
72. *Mr McLean*—Enquiry of the Ministry—Would the Minister of Government Services provide the names and the costs of the two lowest tenders for sup-

plying furniture and televisions for the offices of all Ministers and their staff, as well as all members of the Legislature since June of 1985 and provide the name of the one that received the contract. *December 15, 1987. Interim Answer* tabled December 29, 1987. Approximate date information available February 29, 1988.

74. *Answered April 14, 1988.*
78. *Mr Brandt*—Enquiry of the Ministry—Would each Minister table a list of all public opinion polls which have been commissioned since June 1985, the cost of conducting the survey, the date the survey will be or was completed, and the date the survey was or will be released. *January 7, 1988. Interim Answer* tabled February 8, 1988. Approximate date information available April 15, 1988.
80. *Mr Brandt*—Enquiry of the Ministry—Would each Minister provide a list of all reports prepared for, or commissioned by, the Ministry with respect to free trade, which have yet to be released, indicating the author(s) of the reports, the dates the reports were completed, and the reasons why the reports have not been made public. *January 7, 1988. Interim Answer* tabled February 11, 1988. Approximate date information available April 15, 1988.
81. *Mr Brandt*—Enquiry of the Ministry—Would each Minister table all reports prepared for, or commissioned by, the Ministry with respect to free trade that have been withheld from the public of Ontario. *January 7, 1988. Interim Answer* tabled February 11, 1988. Approximate date information available April 15, 1988.
82. *Mr Brandt*—Enquiry of the Ministry—Would the Minister of Industry, Trade and Technology provide a list of all reports to which he referred in responding to my initial question in the Legislature on Wednesday, January 6, 1988, indicating the author(s) of the reports, the dates the reports were completed, and the reasons why the reports have not been made public. *January 7, 1988. Interim Answer* tabled February 11, 1988. Approximate date information available April 15, 1988.
85. *Mr Brandt*—Enquiry of the Ministry—Would the Minister of Industry, Trade and Technology table the reports to which he referred in responding to my initial question in the Legislature on Wednesday, January 6, 1988. *January 7, 1988. Interim Answer* tabled February 11, 1988. Approximate date information available April 15, 1988.
89. *Mr Cousens*—Enquiry of the Ministry—Would the Minister of Housing provide a breakdown, by municipality, of the number of assisted housing units available in Ontario, which of these are funded through, Federal, Provincial or Municipal programs and the dollar level of funding. *February 9, 1988.*
90. *Mr Cousens*—Enquiry of the Ministry—Would the Minister of Housing indicate how many new assisted housing units have been announced since she



became Minister and how many of these will be ready for occupation by December 31, 1988. *February 9, 1988.*

91. *Mr Cousens*—Enquiry of the Ministry—Would the Minister of Housing provide a breakdown, by municipality, of the waiting list for assisted Housing in the Province. *February 9, 1988.*
92. *Mr Cousens*—Enquiry of the Ministry—Would the Minister of Housing provide an analysis of the number of individuals who will be added to the assisted housing waiting lists as a result of her announcement that low income singles and couples without children will be eligible for assisted housing. *February 9, 1988.*
95. *Answered April 12, 1988.*
97. *Mr Breaugh*—Enquiry of the Ministry—Would the Minister of Government Services list all lands owned by the provincial government and its agencies within the boundaries of Metropolitan Toronto, the Regional Municipality of Peel, the Regional Municipality of York, and the Regional Municipality of Durham. *April 5, 1988.*
98. *Mr Rae*—Enquiry of the Ministry—Would the Minister of Health provide the following information: (1) How many paid intern positions in public teaching hospitals have been set in Ontario for 1986, 1987, 1988. (2) How many residency positions in public teaching hospitals have been set in Ontario for 1986, 1987, 1988. (3) What are the average hours worked (a) in a week; and (b) in a month by (i) residents in public teaching hospitals; (ii) interns in public teaching hospitals; (iii) registered nurses; and (iv) other staff. *April 5, 1988.*
99. *Answered April 14, 1988.*
100. *Mr McLean*—Enquiry of the Ministry—Would the Minister of Tourism and Recreation explain the purpose of his recent trip to Calgary, Alberta, during the 15th Winter Olympic Games and provide the following information: the cost of the trip; how many people accompanied the Minister and who they were; the cost for limousine services; the cost for receptions held by the Minister and who they were for. *April 6, 1988.*
101. *Mr Cooke (Windsor-Riverside)*—Enquiry of the Ministry—Would the Chairman of Management Board of Cabinet provide the House with a list of all communities in Ontario where provincial government jobs are located, the number of provincial government employees in each of these communities and which ministry of government they work for. *April 7, 1988.*
102. *Mr Wiseman*—Enquiry of the Ministry—Would the Minister of Health provide the following information: since June of 1985 how much money has been allocated annually to both private and non-profit nursing homes. As well, please provide the number of beds which have been opened up in both types of institutions. *April 13, 1988.*

103. *Mrs Cunningham*—Enquiry of the Ministry—Would the Minister of Skills Development provide a complete financial report on the Summer Experience '88 program including a breakdown of all administrative and advertising costs including, how many Experience '88 guide books were printed, at what cost, who they were distributed to and when. *April 14, 1988.*
104. *Mrs Cunningham*—Enquiry of the Ministry—Would the Minister of Skills Development provide a detailed report on the number of applications received under the Summer Experience '88 program as of the close of applications on April 8, 1988. *April 14, 1988.*
105. *Mrs Cunningham*—Enquiry of the Ministry—Would the Minister of Skills Development provide a complete financial report on the Ontario Summer Employment Program including; how many guideline booklets were printed, at what cost, who they were distributed to and when. *April 14, 1988.*
106. *Mrs Cunningham*—Enquiry of the Ministry—Would the Minister of Skills Development provide a complete financial report on the "Work, Training & Business Opportunities for young people" folder delivered to Members offices during the week of April 4, 1988 including a breakdown of all production and administrative costs, how many folders were printed, at what cost, who they were distributed to and when. *April 14, 1988.*
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## PRIVATE MEMBERS' BUSINESS TO BE DEBATED

*(Precedence in accordance with the Standing Order 71 (d).)*

Ballot Item Nos. 13 and 14. *Debated April 14, 1988.*

Ballot Item No. 15—*To be debated on Thursday, April 21, 1988.*

*Mr Harris*—Resolution—That, in the opinion of this House, all future legislation which would establish an agency, board, commission or regulatory system or create new direct expenditures or tax expenditures must contain a sunset provision which would, after a specified period of time, require mandatory review of the original legislation by a committee of this House. The Committee would be mandated to report to this House on the impact of the legislation, the degree to which the program and policy objectives have been met and make recommendations as to whether the legislation, regulations, program or agency should be continued, terminated or amended. Further, this House is of the opinion that all existing legislation which has established an agency, board, commission or regulatory system or created new direct expenditures or tax expenditures should, over the next five years be reviewed by a committee of this House with the mandate indicated above.

Ballot Item No. 16—*To be debated on Thursday, April 21, 1988.*

*Mr Carrothers*—Resolution—That, in the opinion of this House, recognizing that cancer continues to be a major source of fatality in Ontario and recognizing the need for extensive research, diagnosis and treatment, the Government of Ontario should support the development of a community based cancer clinic network.

Ballot Item No. 17—*To be debated on Thursday, April 28, 1988.*

*Mr Cooke* (Windsor-Riverside)—Resolution—That, in the opinion of this House, recognizing that the scope and recommendations of the Task Force on Inflation Protection for Employment Pension Plans failed to meet the concerns of workers and most particularly retirees whose pensions have already been eroded by inflation but who will get nothing from these proposals, this Legislature strongly urges the Government of Ontario to:

- introduce legislation to require indexation of all pensions with the same indexing formula applicable to current plan members, current pensioners and those entitled to a deferred pension.
  - place an immediate moratorium on the use of contribution holidays which are, in fact just another means of surplus withdrawals.
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## BILLS REFERRED TO STANDING COMMITTEES

### STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Bill Pr1, An Act respecting Canada Christian College and School of Graduate Theological Studies. *Mr Allen. (Referred November 18, 1987.)*

Bill Pr2, An Act to revive Big Cedar Association. *Mr Owen. (Referred February 8, 1988.)*

Bill Pr4, An Act respecting The Ottawa Civil Service Recreational Association. *Mr Chiarelli. (Referred November 16, 1987.)*

Bill Pr5, An Act respecting The Chartered Institute of Marketing Management of Ontario. *Ms Hart. (Referred February 8, 1988.)*

Bill Pr7, An Act respecting the Driving School Association of Ontario. *Mr Ferraro. (Referred November 9, 1987.)*

Bill Pr11, An Act to revive L F P Management Limited. *Mrs Fawcett. (Referred April 12, 1988.)*

Bill Pr16, An Act respecting the City of Toronto. *Mr Kanter. (Referred December 8, 1987.)*

Bill Pr19, An Act respecting the City of Sudbury. *Mr Campbell. (Referred April 12, 1988.)*

Bill Pr24, An Act respecting the Hamilton Civic Hospitals. *Ms Collins. (Referred December 7, 1987.)*

Bill Pr25, An Act respecting Kingsway General Insurance Company. *Mr Cousens. (Referred December 9, 1987.)*

Bill Pr27, An Act respecting the Ontario Municipal Management Institute. *Mr Campbell. (Referred December 22, 1987.)*

Bill Pr28, An Act to revive Mid-Continent Bond Corporation, Limited. *Mr Ray (Windsor-Walkerville). (Referred April 6, 1988.)*

Bill Pr29, An Act respecting The United Church of Canada and The Canada Conference The Evangelical United Brethren Church. *Mr Epp. (Referred February 8, 1988.)*

Bill Pr30, An Act respecting The General Hospital of Port Arthur. *Mr Kozyra. (Referred December 3, 1987.)*

Bill Pr34, An Act to revive Machin Mines Limited. *Mr Kanter. (Referred February 9, 1988.)*



Bill Pr37, An Act respecting the University of Western Ontario. *Mr Reycraft. (Referred December 22, 1987.)*

Bill Pr38, An Act to revive Prow Yellowknife Gold Mines Ltd. *Mr Kanter. (Referred February 9, 1988.)*

Bill Pr40, An Act respecting the City of Trenton. *Mrs Fawcett. (Referred April 12, 1988.)*

Bill Pr49, An Act to revive Lebon Gold Mines Limited. *Mr Kanter. (Referred February 8, 1988.)*

Bill Pr56, An Act respecting the City of Toronto. *Mr Kanter. (Referred November 30, 1987.)*

Bill Pr67, An Act respecting the City of Hamilton. *Mr Charlton. (Referred December 3, 1987.)*

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## STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Bill 13, An Act respecting Environmental Rights in Ontario. *Mrs Grier. (Referred December 10, 1987.)*

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## STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Bill 50, An Act to provide for Community Mental Health Services. *Mr Reville. (Referred December 17, 1987.)*

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## MATTERS REFERRED TO SELECT COMMITTEES

### SELECT COMMITTEE ON EDUCATION

Consider and report on the role of the formal elementary and secondary school system in the successful transition of young students to adulthood in Ontario. *(Referred by Order of the House on February 11, 1988.)*

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### SELECT COMMITTEE ON ENERGY

Consider and report on Ontario Hydro Affairs. *(Referred by Order of the House on February 11, 1988.)*

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## SELECT COMMITTEE ON CONSTITUTIONAL REFORM

Consider and report on the 1987 Constitutional Accord (Sessional Paper No. 74), and matters related thereto. (*Referred by Order of the House on November 30, 1987.*)

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## MATTERS REFERRED TO STANDING COMMITTEES

*(In accordance with the Standing Orders, statutory annual reports of each ministry and of all agencies, boards and commissions reporting to each Minister for the immediate past reporting period stand permanently referred to the appropriate Standing Committees.)*

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## STANDING COMMITTEE ON FINANCE AND ECONOMIC AFFAIRS

Consider and report on the Canada-U.S. Free Trade Agreement (Sessional Paper Number 108). (*Referred by Order of the House on January 7, 1988.*)

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## STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Consider and report on Safety in Ontario Mines. (*Referred by Order of the House on January 7, 1988.*)

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## COMMITTEE MEETINGS

The Standing Committee on Finance and Economic Affairs will meet to consider the Free Trade Agreement as follows:

Thursday, 21 April	10.00 a.m.	Room No. 1
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The Standing Committee on the Ombudsman will meet to consider the 1986-1987 Annual Report of the Ombudsman as follows:

Wednesday, 20 April	10.00 a.m.	Room No. 151
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The Standing Committee on Public Accounts will meet to review the 1987 Annual Report of the Provincial Auditor as follows:

Thursday, 21 April	10.00 a.m. <i>in camera</i>	Room No. 151
Section 2.2		
The Estimates Process—Maligned and Ineffective		

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The Standing Committee on Regulations and Private Bills will meet to consider Bill Pr37, An Act respecting the University of Western Ontario; Bill Pr67, An Act respecting the City of Hamilton; Bill Pr5, An Act respecting The Chartered Institute of Marketing Management of Ontario; Bill Pr27, An Act respecting the Ontario Municipal Management Institute; Bill Pr29, An Act respecting The United Church of Canada and The Canada Conference The Evangelical United Brethren Church; and Bill Pr7, An Act respecting the Driving School Association of Ontario, as follows:

Wednesday, 20 April	10.00 a.m.	Committee Room No. 1
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The Standing Committee on Resources Development will meet to consider accidents and fatalities in Ontario mines as follows:

Today	following Routine Proceedings	Room No. 1
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## ESTIMATES

TOTAL HOURS FOR CONSIDERATION OF  
ALL ESTIMATES ..... 381 hrs., 30 mins.

### IN COMMITTEE OF SUPPLY

(Estimates to be taken in order shown)

- |   |                  |
|---|------------------|
| 1. Lieutenant Governor,<br>Premier and Cabinet Office ..... | 7 hrs., 30 mins. |
| 2. Government Services .....                                | 7 hrs., 30 mins. |
| <i>(Includes supplementaries, Number 2)†</i>                |                  |
| 3. Intergovernmental Affairs .....                          | 7 hrs., 30 mins. |
| 4. Management Board of Cabinet .....                        | 7 hrs., 30 mins. |
| 5. Revenue .....  | 7 hrs., 30 mins. |
| <i>(Includes supplementaries, Number 1)†</i>                |                  |
| 6. Francophone Affairs .....                                | 7 hrs., 30 mins. |

### IN STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

(Estimates to be taken in order shown)

- |   |                  |
|---|------------------|
| 1. Treasury and Economics .....                   |                  |
| <i>(Completed Tuesday, December 8, 1987)</i>      |                  |
| 2. Energy .....                                   | 5 hrs., 54 mins. |
| <i>(Includes supplementaries, Number 1)†</i>      |                  |
| <i>(Adjourned at Vote 1301, Item 1)</i>           |                  |
| 3. Attorney General .....                         | 7 hrs., 30 mins. |
| <i>(Includes supplementaries, Number 1)†</i>      |                  |
| <i>(Includes supplementaries, Number 2)‡</i>      |                  |
| 4. Consumer and Commercial Relations .....        | 7 hrs., 30 mins. |
| <i>(Includes supplementaries, Number 1)†</i>      |                  |
| 5. Correctional Services .....                    | 7 hrs., 30 mins. |
| 6. Financial Institutions .....                   | 7 hrs., 30 mins. |
| 7. Office Responsible for<br>Native Affairs ..... | 7 hrs., 30 mins. |
| 8. Solicitor General .....                        | 7 hrs., 30 mins. |

†Supplementary Estimates Number 1 Tabled December 17, 1987.

‡Supplementary Estimates Number 2 Tabled February 9, 1988.



## IN STANDING COMMITTEE ON GENERAL GOVERNMENT

(Estimates to be taken in order shown)

1. Labour ..... 3 hrs., 06 mins.  
(Adjourned at Vote 2101, Item 1)
2. Northern Development ..... 7 hrs., 30 mins.
3. Office Responsible for  
Women's Issues ..... 7 hrs., 30 mins.

## IN STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

(Estimates to be taken in order shown)

1. Office of the Assembly ..... 5 hrs.  
(Includes supplementaries, Number 1)†
2. Office of the  
Chief Election Officer ..... 5 hrs.

## IN STANDING COMMITTEE ON THE OMBUDSMAN

(Estimates to be taken in order shown)

1. Office of the Ombudsman ..... 5 hrs.  
(Includes supplementaries, Number 1)†

## IN STANDING COMMITTEE ON PUBLIC ACCOUNTS

(Estimates to be taken in order shown)

1. Office of the Provincial Auditor .. (Completed Thursday, December 17, 1987)

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†Supplementary Estimates Number 1 Tabled December 17, 1987.

## IN STANDING COMMITTEE ON RESOURCES DEVELOPMENT

(Estimates to be taken in order shown)

1. Industry, Trade and Technology . *(Completed Thursday, December 10, 1987)*
2. Housing ..... *(Completed Thursday, December 17, 1987)*
3. Environment ..... 7 hrs., 30 mins.  
*(Includes supplementaries, Number 1)†*
4. Agriculture and Food ..... 7 hrs., 30 mins.  
*(Includes supplementaries, Number 1)†*
5. Mines ..... 7 hrs., 30 mins.
6. Municipal Affairs ..... 7 hrs., 30 mins.  
*(Includes supplementaries, Number 1)†*  
*(Includes supplementaries, Number 2)‡*
7. Natural Resources ..... 7 hrs., 30 mins.  
*(Includes supplementaries, Number 1)†*
8. Tourism and Recreation ..... 7 hrs., 30 mins.
9. Transportation ..... 7 hrs., 30 mins.  
*(Includes supplementaries, Number 1)†*
10. Industry, Trade and Technology ..... —  
*(Supplementaries only, Number 2)‡*
11. Housing ..... —  
*(Supplementaries only, Number 2)‡*

†Supplementary Estimates Number 1 Tabled December 17, 1987.

‡Supplementary Estimates Number 2 Tabled February 9, 1988.

## IN STANDING COMMITTEE ON SOCIAL DEVELOPMENT

(Estimates to be taken in order shown)

1. Skills Development ..... (Completed Thursday, December 10, 1987)
2. Office for Disabled Persons ..... (Completed Thursday, December 17, 1987)
3. Education ..... 7 hrs., 30 mins.  
(Includes supplementaries, Number 2)‡
4. Office Responsible for  
Senior Citizens' Affairs ..... 7 hrs., 30 mins.
5. Citizenship ..... 7 hrs., 30 mins.
6. Colleges and Universities ..... 7 hrs., 30 mins.  
(Includes supplementaries, Number 1)†
7. Community and Social Services ..... 7 hrs., 30 mins.  
(Includes supplementaries, Number 1)†  
(Includes supplementaries, Number 2)‡
8. Culture and Communications ..... 7 hrs., 30 mins.
9. Health ..... 7 hrs., 30 mins.  
(Includes supplementaries, Number 1)†  
(Includes supplementaries, Number 2)‡
10. Skills Development ..... —  
(Supplementaries only, Number 1)†
11. Office for Disabled Persons ..... —  
(Supplementaries only, Number 1)†

†Supplementary Estimates Number 1 Tabled December 17, 1987.

‡Supplementary Estimates Number 2 Tabled February 9, 1988.









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# Orders and Notices

Legislative Assembly  
of the Province of Ontario

**1st Session, 34th Parliament**  
Tuesday, April 19, 1988

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## GOVERNMENT BILLS AND ORDERS

1. *Second Reading* Bill 4, An Act to amend the Metropolitan Toronto Police Force Complaints Act, 1984. *Mr Scott.* **PRINTED.**
2. *Second Reading* Bill 5, An Act to amend the Proceedings Against the Crown Act. *Mr Scott.* **PRINTED.**
3. *Second Reading* Bill 6, An Act to amend the Execution Act. *Mr Scott.* **PRINTED.**
4. *Second Reading* Bill 7, An Act to implement the Model Law on International Commercial Arbitration adopted by the United Nations Commission on International Trade Law. *Mr Scott.* **PRINTED.**

*Deuxième lecture* Projet de loi 7, Loi portant mise en application de la Loi type sur l'arbitrage commercial international adoptée par la Commission des Nations Unies pour le droit commercial international. *M. Scott.* **IMPRIMÉ.**

5. *Second Reading* Bill 9, An Act permitting Trustees and other Persons to dispose of South African investments. *Mr Scott.* **PRINTED.**

*Deuxième lecture* Projet de loi 9, Loi permettant aux fiduciaires et à d'autres personnes d'aliéner les placements sud-africains. *M. Scott.* **IMPRIMÉ.**

6. *Second Reading* Bill 15, An Act to amend the Barristers Act. *Mr Scott.* **PRINTED.**
7. *Second Reading* Bill 22, An Act to regulate Motor Vehicle Repairs. *Mr Wrye.* **PRINTED.**
8. *Second Reading* Bill 26, An Act to regulate Prepaid Services. *Mr Wrye.* **PRINTED.**
9. *Second Reading* Bill 27, An Act respecting Prearranged and Prepaid Funerals. *Mr Wrye.* **PRINTED.**
10. *Second Reading* Bill 28, An Act to amend the Funeral Services Act. *Mrs Caplan.* **PRINTED.**
11. *Second Reading* Bill 52, An Act to amend the Consumer Reporting Act. *Mr Wrye.* **PRINTED.**
12. *Second Reading* Bill 59, An Act to amend the Municipal Act and certain other Acts related to municipalities. *Mr Eakins.* **PRINTED.**
13. *Second Reading* Bill 66, An Act respecting Agricultural and Horticultural Organizations. *Mr Riddell.* **PRINTED.\***

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\*Lieutenant Governor's Recommendation received.



14. *Second Reading* Bill 68, An Act to promote the Conservation of Certain Land. *Mr Kerrio.* **PRINTED.**
15. *Second Reading* Bill 69, An Act to amend the Education Act. *Mr Ward.* **PRINTED.**
16. *Second Reading* Bill 70, An Act to amend the Education Act. *Mr Ward.* **PRINTED.**
17. *Second Reading* Bill 76, An Act to amend the Education Act and certain other Acts related to Education. *Mr Ward.* **PRINTED.**
18. *Second Reading* Bill 78, An Act respecting the Sale of Farm Implements. *Mr Riddell.* **PRINTED.**
19. *Second Reading* Bill 82, An Act respecting Energy Efficiency. *Mr Wong.* **PRINTED.**
20. *Second Reading* Bill 83, An Act respecting the Protection of Farm Practices. *Mr Riddell.* **PRINTED.**
21. *Second Reading* Bill 84, An Act to amend the Corporations Tax Act. *Mr Grandmaître.* **PRINTED.\***
22. *Second Reading* Bill 85, An Act to amend the Mining Tax Act. *Mr Grandmaître.* **PRINTED.\***
23. *Second Reading* Bill 86, An Act to amend the Highway Traffic Act. *Mr Fulton.* **PRINTED.**
24. *Second Reading* Bill 87, An Act to amend the Ontario Highway Transport Board Act. *Mr Fulton.* **PRINTED.**
25. *Second Reading* Bill 88, An Act to regulate Truck Transportation. *Mr Fulton.* **PRINTED.**
26. *Second Reading* Bill 90, An Act respecting the United Nations Convention on Contracts for the International Sale of Goods. *Mr Scott.* **PRINTED.**

*Deuxième lecture* Projet de loi 90, Loi concernant la Convention des Nations Unies sur les contrats de vente internationale de marchandises. *M. Scott.* **IMPRIMÉ.**

27. *Second Reading* Bill 93, An Act to revise the Justices of the Peace Act. *Mr Scott.* **PRINTED.**

*Deuxième lecture* Projet de loi 93, Loi portant révision de la Loi sur les juges de paix. *M. Scott.* **IMPRIMÉ.**

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\*Lieutenant Governor's Recommendation received.

28. *Second Reading* Bill 98, An Act to amend the Public Transportation and Highway Improvement Act. *Mr Fulton.* **PRINTED.**
  29. *Second Reading* Bill 99, An Act to amend the Ministry of Transportation and Communications Act. *Mr Fulton.* **PRINTED.**
  30. *Second Reading* Bill 100, An Act to amend the Education Act. *Mr Ward.* **PRINTED.**
  31. *Second Reading* Bill 101, An Act to repeal the Ministry of Transportation and Communications Creditors Payment Act. *Mr Fulton.* **PRINTED.**
  32. *Second Reading* Bill 102, An Act to amend the Construction Lien Act, 1983. *Mr Fulton.* **PRINTED.**
  33. *Second Reading* Bill 106, An Act to amend the Municipal Elections Act and the Municipal Act. *Mr Eakins.* **PRINTED.**
  34. *Second Reading* Bill 107, An Act to amend the Child and Family Services Act, 1984. *Mr Sweeney.* **PRINTED.**
  35. *Second Reading* Bill 108, An Act to amend the Rental Housing Protection Act, 1986. *Ms Hošek.* **PRINTED.**
  36. *Second Reading* Bill 109, An Act to establish a French-language School Board for The Regional Municipality of Ottawa-Carleton. *Mr Ward.* **PRINTED.**
- Deuxième lecture* Projet de loi 109, Loi portant création d'un Conseil scolaire de langue française pour la municipalité régionale d'Ottawa-Carleton. *M. Ward.* **IMPRIMÉ.**
37. *Resuming the Adjourned Debate* on the Motion for Adoption of the Recommendations contained in the Report of the Standing Committee on the Legislative Assembly on the Service of Process within the Precincts of the House.
  38. *Concurrence in Supply* for the Ministry of Treasury and Economics.
  39. *Concurrence in Supply* for the Ministry of Skills Development.
  40. *Concurrence in Supply* for the Ministry of Industry, Trade and Technology.
  41. *Concurrence in Supply* for the Office of the Provincial Auditor.
  42. *Concurrence in Supply* for the Office for Disabled Persons.
  43. *Concurrence in Supply* for the Ministry of Housing.
  44. *House in Committee of Supply.*
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## PRIVATE MEMBERS' PUBLIC BILLS AND ORDERS

### 45. *Committee of the Whole House:*

Bill 24, An Act to establish a Tourism Advisory Board. *Mr McLean.* **PRINTED.**

Bill 75, An Act to establish the Municipal Council Retirement Fund and to provide Retirement Allowances to Municipal Councillors. *Mr Cureatz.* **PRINTED.**

46. *Second Reading* Bill 3, An Act to protect the Public Health and Comfort and the Environment by Prohibiting and Controlling Smoking in Public Places. *Mr Sterling.* **PRINTED.**

47. *Second Reading* Bill 8, An Act to amend the Representation Act, 1986. *Mr Villeneuve.* **PRINTED.**

48. *Second Reading* Bill 10, An Act to amend the Election Act, 1984. *Mr Cousens.* **PRINTED.**

49. *Second Reading* Bill 12, An Act to ban Sunday racing and intertrack wagering at Greenwood Raceway and to change the composition and procedures of the Ontario Racing Commission. *Ms Bryden.* **PRINTED.**

50. *Second Reading* Bill 14, An Act to protect and enhance the Quality of Drinking Water in Ontario. *Mrs Grier.* **PRINTED.**

51. *Second Reading* Bill 16, An Act to encourage the Rehabilitation of Water Delivery Systems in Ontario. *Mrs Marland.* **PRINTED.**

52. *Second Reading* Bill 17, An Act to amend the Planning Act, 1983. *Mr Johnston (Scarborough West).* **PRINTED.**

53. *Second Reading* Bill 18, An Act to provide for the Conversion of Technologies and Skills used in the Nuclear Weapons Industry to Civilian Use. *Mr Johnston (Scarborough West).* **PRINTED.**

54. *Second Reading* Bill 23, An Act to proclaim 1995 as the 150th Anniversary of the arrival of Irish Immigrants in Canada. *Mr Pollock.* **PRINTED.**

55. *Second Reading* Bill 30, An Act to amend the Pension Benefits Act. *Mr Mackenzie.* **PRINTED.**

56. *Second Reading* Bill 31, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**

57. *Second Reading* Bill 32, An Act to provide for the Employment of Disabled Persons. *Mr Mackenzie.* **PRINTED.**

58. *Second Reading* Bill 33, An Act to amend the Education Act. *Mr Mackenzie.* **PRINTED.**

59. *Second Reading* Bill 34, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
60. *Second Reading* Bill 35, An Act to amend the Public Vehicles Act. *Mr Mackenzie.* **PRINTED.**
61. *Second Reading* Bill 36, An Act to provide Political Rights for Public Servants. *Mr Mackenzie.* **PRINTED.**
62. *Second Reading* Bill 37, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
63. *Second Reading* Bill 38, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
64. *Second Reading* Bill 39, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
65. *Second Reading* Bill 40, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
66. *Second Reading* Bill 41, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
67. *Second Reading* Bill 42, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
68. *Second Reading* Bill 43, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
69. *Second Reading* Bill 44, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
70. *Second Reading* Bill 45, An Act to amend the Children's Law Reform Act. *Mr Cousens.* **PRINTED.**
71. *Second Reading* Bill 47, An Act to amend the Highway Traffic Act. *Mrs Grier.* **PRINTED.**
72. *Second Reading* Bill 48, An Act to amend the Police Act. *Mr Eves.* **PRINTED.**
73. *Second Reading* Bill 49, An Act to relieve Persons from Liability in respect of voluntary Emergency Medical and First Aid Services. *Mr Haggerty.* **PRINTED.**
74. *Second Reading* Bill 53, An Act to provide for the Safety and Welfare of Crown Witnesses in Certain Criminal Proceedings. *Mr Runciman.* **PRINTED.**
75. *Second Reading* Bill 57, An Act to amend the Energy Act. *Mr Wildman.* **PRINTED.**



76. *Second Reading* Bill 60, An Act respecting the Sale of Farm Machinery and Equipment in Ontario. *Mr Wildman.* **PRINTED.**
77. *Second Reading* Bill 62, An Act to amend the Health Protection and Promotion Act, 1983. *Mr Henderson.* **PRINTED.**
78. *Second Reading* Bill 63, An Act to amend the Laboratory and Specimen Collection Centre Licensing Act. *Mr Henderson.* **PRINTED.**
79. *Second Reading* Bill 64, An Act to amend the Health Insurance Act. *Mr Henderson.* **PRINTED.**
80. *Second Reading* Bill 67, An Act to establish the East/Central Ontario Recreational Trails Commission. *Mr Pollock.* **PRINTED.**
81. *Second Reading* Bill 71, An Act to amend the Occupational Health and Safety Act. *Mr Rae (York South).* **PRINTED.**
82. *Second Reading* Bill 72, An Act respecting Simcoe Day. *Mr McLean.* **PRINTED.**
83. *Second Reading* Bill 73, An Act to amend the Public Service Superannuation Act. *Mr McLean.* **PRINTED.**
84. *Second Reading* Bill 74, An Act to amend the Legislative Assembly Retirement Allowances Act. *Mr McLean.* **PRINTED.**
85. *Second Reading* Bill 89, An Act requiring municipalities to establish Programs for the Recycling of Garbage. *Mrs Marland.* **PRINTED.**
86. *Second Reading* Bill 91, An Act to amend the Election Act. *Mr Sterling.* **PRINTED.**
87. *Second Reading* Bill 92, An Act to prevent unjust enrichment through the Financial Exploitation of Crime. *Mr Wildman.* **PRINTED.**
88. *Second Reading* Bill 94, An Act to prohibit Discrimination by Municipalities against Unrelated Persons Occupying Residential Property. *Mr Jackson.* **PRINTED.**
89. *Second Reading* Bill 95, An Act to amend the Children's Law Reform Act. *Mr Henderson.* **PRINTED.**
90. *Second Reading* Bill 96, An Act to amend the Highway Traffic Act. *Mr Wildman.* **PRINTED.**
91. *Second Reading* Bill 97, An Act to amend Human Rights Code, 1981. *Mr Reville.* **PRINTED.**
92. *Second Reading* Bill 103, An Act respecting Living Wills. *Mr Cureatz.* **PRINTED.**

93. *Second Reading* Bill 104, An Act to amend the Courts of Justice Act, 1984.  
*Mr Cureatz.* **PRINTED.**
94. *Second Reading* Bill 105, An Act to amend the Legislative Assembly Act.  
*Mr Cureatz.* **PRINTED.**
95. *Second Reading* Bill 110, An Act to declare Remembrance Day as a Holiday  
for Veterans. *Mr Henderson.* **PRINTED.**
96. *Second Reading* Bill 111, An Act to amend the Legislative Assembly Act.  
*Mr Swart.*
97. *Second Reading* Bill 112, An Act to amend the Legislative Assembly Act.  
*Mr Epp.* **PRINTED.**
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#### PRIVATE BILLS

98. *Second Reading* Bill Pr10, An Act respecting the Oshawa Public Utilities  
Commission. *Mr Breagh.* **PRINTED.**
99. *Second Reading* Bill Pr22, An Act respecting the City of Mississauga. *Mr  
Offer.* **REPRINTED.**
100. *Second Reading* Bill Pr62, An Act respecting The Windsor Utilities  
Commission. *Mr Ray (Windsor-Walkerville).* **PRINTED.**
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## NOTICES

### GOVERNMENT MOTIONS

6. *Mr. Peterson*—Resolution—WHEREAS the *Constitution Act, 1982* came into force on April 17, 1982, following an agreement between Canada and all the provinces except Quebec;

AND WHEREAS the Government of Quebec has established a set of five proposals for constitutional change and has stated that amendments to give effect to those proposals would enable Quebec to resume a full role in the constitutional councils of Canada;

AND WHEREAS the amendment proposed in the schedule hereto sets out the basis on which Quebec's five constitutional proposals may be met;

AND WHEREAS the amendment proposed in the schedule hereto also recognizes the principle of the equality of all the provinces, provides new arrangements to foster greater harmony and cooperation between the Government of Canada and the governments of the provinces and requires that conferences be convened to consider important constitutional, economic and other issues;

AND WHEREAS certain portions of the amendment proposed in the schedule hereto relate to matters referred to in section 41 of the *Constitution Act, 1982*;

AND WHEREAS section 41 of the *Constitution Act, 1982* provides that an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and the House of Commons and of the legislative assembly of each province;

NOW THEREFORE the Legislative Assembly of Ontario resolves that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by Her Excellency the Governor General under the Great Seal of Canada in accordance with the schedule hereto.

### SCHEDULE

#### CONSTITUTION AMENDMENT, 1987

##### *Constitution Act, 1867*

1. The *Constitution Act, 1867* is amended by adding thereto, immediately after section 1 thereof, the following section:

Interpre-  
tation

“2. (1) The Constitution of Canada shall be interpreted in a manner consistent with

(a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present elsewhere

in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada; and

(b) the recognition that Quebec constitutes within Canada a distinct society.

Role of  
Parliament  
and  
legislatures

(2) The role of the Parliament of Canada and the provincial legislatures to preserve the fundamental characteristic of Canada referred to in paragraph (1)(a) is affirmed.

Role of  
legislature  
and  
Government  
of Quebec

(3) The role of the legislature and Government of Quebec to preserve and promote the distinct identity of Quebec referred to in paragraph (1)(b) is affirmed.

Rights of  
legislatures  
and  
governments  
preserved

(4) Nothing in this section derogates from the powers, rights or privileges of Parliament or the Government of Canada, or of the legislatures or governments of the provinces, including any powers, rights or privileges relating to language.”

2. The said Act is further amended by adding thereto, immediately after section 24 thereof, the following section:

Names to be  
submitted

“25. (1) Where a vacancy occurs in the Senate, the Government of the province to which the vacancy relates may, in relation to that vacancy, submit to the Queen’s Privy Council for Canada the names of persons who may be summoned to the Senate.

Choice of  
Senators  
from names  
submitted

(2) Until an amendment to the Constitution of Canada is made in relation to the Senate pursuant to section 41 of the *Constitution Act, 1982*, the person summoned to fill a vacancy in the Senate shall be chosen from among persons whose names have been submitted under subsection (1) by the government of the province to which the vacancy relates and must be acceptable to the Queen’s Privy Council for Canada.”

3. The said Act is further amended by adding thereto, immediately after section 95 thereof, the following heading and sections:

*“Agreements on Immigration and Aliens*

Commitment  
to negotiate

95A. The Government of Canada shall, at the request of the government of any province, negotiate with the government of that province for the purpose of concluding an agreement relating to immigration or the temporary admission of aliens into that province that is appropriate to the needs and circumstances of that province.



## Agreements

**95B.** (1) Any agreement concluded between Canada and a province in relation to immigration or the temporary admission of aliens into that province has the force of law from the time it is declared to do so in accordance with subsection 95C(1) and shall from that time have effect notwithstanding class 25 of section 91 or section 95.

## Limitation

(2) An agreement that has the force of law under subsection (1) shall have effect only so long and so far as it is not repugnant to any provision of an Act of the Parliament of Canada that sets national standards and objectives relating to immigration or aliens, including any provision that establishes general classes of immigrants or relates to levels of immigration for Canada or that prescribes classes of individuals who are inadmissible into Canada.

## Application of Charter

(3) The *Canadian Charter of Rights and Freedoms* applies in respect of any agreement that has the force of law under subsection (1) and in respect of anything done by the Parliament or Government of Canada, or the legislature or government of a province, pursuant to any such agreement.

## Proclamation relating to agreements

**95C.** (1) A declaration that an agreement referred to in subsection 95B(1) has the force of law may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement.

## Amendment of agreements

(2) An amendment to an agreement referred to in subsection 95B(1) may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized

(a) by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement; or

(b) in such other manner as is set out in the agreement.

Application of sections 46 to 48 of *Constitution Act, 1982*

**95D.** Sections 46 to 48 of the *Constitution Act, 1982* apply, with such modifications as the circumstances require, in respect of any declaration made pursuant to subsection 95C(1), any amendment to an agreement made pursuant to subsection 95C(2) or any amendment made pursuant to section 95E.

## Amendments to sections 95A to 95D or this section

**95E.** An amendment to sections 95A to 95D or this section may be made in accordance with the procedure set out in subsection 38(1) of the *Constitution Act, 1982*, but only if the amendment is authorized by resolutions of the legislative assemblies of all the provinces that are, at the time of the

amendment, parties to an agreement that has the force of law under subsection 95B(1).”

4. The said Act is further amended by adding thereto, immediately preceding section 96 thereof, the following heading:

*“General”*

5. The said Act is further amended by adding thereto, immediately preceding section 101 thereof, the following heading:

*“Courts Established by the Parliament of Canada”*

6. The said Act is further amended by adding thereto, immediately after section 101 thereof, the following heading and sections:

*“Supreme Court of Canada*

Supreme  
Court  
continued

**101A.** (1) The court existing under the name of the Supreme Court of Canada is hereby continued as the general court of appeal for Canada, and as an additional court for the better administration of the laws of Canada, and shall continue to be a superior court of record.

Constitution  
of court

(2) The Supreme Court of Canada shall consist of a chief justice to be called the Chief Justice of Canada and eight other judges, who shall be appointed by the Governor General in Council by letters patent under the Great Seal.

Who may be  
appointed  
judges

**101B.** (1) Any person may be appointed a judge of the Supreme Court of Canada who, after having been admitted to the bar of any province or territory, has, for a total of at least ten years, been a judge of any court in Canada or a member of the bar of any province or territory.

Three judges  
from Quebec

(2) At least three judges of the Supreme Court of Canada shall be appointed from among persons who, after having been admitted to the bar of Quebec, have, for a total of at least ten years, been judges of any court of Quebec or of any court established by the Parliament of Canada, or members of the bar of Quebec.

Names may  
be submitted

**101C.** (1) Where a vacancy occurs in the Supreme Court of Canada, the government of each province may, in relation to that vacancy, submit to the Minister of Justice of Canada the names of any of the persons who have been admitted to the bar of that province and are qualified under section 101B for appointment to that court.

Appointment  
from names  
submitted

(2) Where an appointment is made to the Supreme Court of Canada, the Governor General in Council shall, except

where the Chief Justice is appointed from among members of the Court, appoint a person whose name has been submitted under subsection (1) and who is acceptable to the Queen's Privy Council for Canada.

Appointment  
from Quebec

(3) Where an appointment is made in accordance with subsection (2) of any of the three judges necessary to meet the requirement set out in subsection 101B(2), the Governor General in Council shall appoint a person whose name has been submitted by the Government of Quebec.

Appointment  
from other  
provinces

(4) Where an appointment is made in accordance with subsection (2) otherwise than as required under subsection (3), the Governor General in Council shall appoint a person whose name has been submitted by the government of a province other than Quebec.

Tenure,  
salaries, etc.  
of judges

**101D.** Sections 99 and 100 apply in respect of the judges of the Supreme Court of Canada.

Relationship  
to section 101

**101E.** (1) Sections 101A to 101D shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws under section 101 except to the extent that such laws are inconsistent with those sections.

References  
to the  
Supreme  
Court of  
Canada

(2) For greater certainty, section 101A shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws relating to the reference of questions of law or fact, or any other matters, to the Supreme Court of Canada."

7. The said Act is further amended by adding thereto, immediately after section 106 thereof, the following section:

Shared-cost  
program

**"106A.** (1) The Government of Canada shall provide reasonable compensation to the government of a province that chooses not to participate in a national shared-cost program that is established by the Government of Canada after the coming into force of this section in an area of exclusive provincial jurisdiction, if the province carries on a program or initiative that is compatible with the national objectives.

Legislative  
power not  
extended

(2) Nothing in this section extends the legislative powers of the Parliament of Canada or of the legislatures of the provinces."

8. The said Act is further amended by adding thereto the following heading and sections:

“XII — CONFERENCES ON THE ECONOMY AND OTHER  
MATTERS

Conferences  
on the  
economy and  
other matters

**148.** A conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year to discuss the state of Canadian economy and such other matters as may be appropriate.

XIII — REFERENCES

Reference  
includes  
amendments

**149.** A reference to this Act shall be deemed to include a reference to any amendments thereto.”

*Constitution Act, 1982*

**9.** Sections 40 to 42 of the *Constitution Act, 1982* are repealed and the following substituted therefor:

Compensation

“**40.** Where an amendment is made under subsection 38(1) that transfers legislative powers from provincial legislatures to Parliament, Canada shall provide reasonable compensation to any province to which the amendment does not apply.

Amendment  
by  
unanimous  
consent

**41.** An amendment to the Constitution of Canada in relation to the following matters may be made by proclamation issued by the Governor General under the Great Seal of Canada only where authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province:

(a) the office of the Queen, the Governor General and the Lieutenant Governor of a province;

(b) the powers of the Senate and the method of selecting Senators;

(c) the number of members by which a province is entitled to be represented in the Senate and the residence qualifications of Senators;

(d) the right of a province to a number of members in the House of Commons not less than the number of Senators by which the province was entitled to be represented on April 17, 1982;

(e) the principle of proportionate representation of the provinces in the House of Commons prescribed by the Constitution of Canada;

(f) subject to section 43, the use of the English or the French language;



(g) the Supreme Court of Canada;

(h) the extension of existing provinces into the territories;

(i) notwithstanding any other law or practice, the establishment of new provinces; and

(j) an amendment to this Part.”

**10.** Section 44 of the said Act is repealed and the following substituted therefor:

Amendments  
by  
Parliament

“**44.** Subject to section 41, Parliament may exclusively make laws amending the Constitution of Canada in relation to the executive government of Canada or the Senate and House of Commons.”

**11.** Subsection 46(1) of the said Act is repealed and the following substituted therefor:

Initiation of  
amendment  
procedures

“**46.** (1) The procedures for amendment under sections 38, 41 and 43 may be initiated either by the Senate or the House of Commons or by the legislative assembly of a province.”

**12.** Subsection 47(1) of the said Act is repealed and the following substituted therefor:

Amendments  
without  
Senate  
resolution

“**47.** (1) An amendment to the Constitution of Canada made by proclamation under section 38, 41 or 43 may be made without a resolution of the Senate authorizing the issue of the proclamation if, within one hundred and eighty days after the adoption by the House of Commons of a resolution authorizing its issue, the Senate has not adopted such a resolution and if, at any time after the expiration of that period, the House of Commons again adopts the resolution.”

**13.** Part VI of the said Act is repealed and the following substituted therefor:

## “PART VI

### CONSTITUTIONAL CONFERENCES

Constitu-  
tional  
conference

**50.** (1) A constitutional conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year, commencing in 1988.

Agenda

(2) The conferences convened under subsection (1) shall have included on their agenda the following matters:

(a) Senate reform, including the role and functions of the Senate, its powers, the method of selecting Senators and representation in the Senate;

(b) roles and responsibilities in relation to fisheries; and

(c) such other matters as are agreed upon.”

14. Subsection 52(2) of the said Act is amended by striking out the word “and” at the end of paragraph (b) thereof, by adding the word “and” at the end of paragraph (c) thereof and by adding thereto the following paragraph:

“(d) any other amendment to the Constitution of Canada.”

15. Section 61 of the said Act is repealed and the following substituted therefor:

References

“61. A reference to the *Constitution Act, 1982*, or a reference to the *Constitution Acts 1867 to 1982*, shall be deemed to include a reference to any amendments thereto.”

#### General

Multicultural  
heritage and  
aboriginal  
people

16. Nothing in section 2 of the *Constitution Act, 1867* affects section 25 or 27 of the *Canadian Charter of Rights and Freedoms*, section 35 of the *Constitution Act, 1982* or class 24 of section 91 of the *Constitution Act, 1867*.

#### CITATION

Citation

17. This amendment may be cited as the *Constitution Amendment, 1987. November 24, 1987*.

M. Peterson—Résolution—

Attendu :

que la *Loi constitutionnelle de 1982* est entrée en vigueur le 17 avril 1982, à la suite d'un accord conclu entre le Canada et toutes les provinces, sauf le Québec;

que, selon le gouvernement du Québec, l'adoption de modifications visant à donner effet à ses cinq propositions de révision constitutionnelle permettrait au Québec de jouer pleinement de nouveau son rôle dans les instances constitutionnelles canadiennes;

que le projet de modification figurant en annexe présente les modalités d'un règlement relatif aux cinq propositions du Québec;

que le projet reconnaît le principe de l'égalité de toutes les provinces et prévoit, d'une part, de nouveaux arrangements propres à renforcer l'harmonie et la coopération entre le gouvernement du Canada et ceux des provinces, d'autre part la tenue de conférences consacrées à l'étude d'importantes questions constitutionnelles, économiques et autres;

que le projet porte en partie sur des questions visées à l'article 41 de la *Loi constitutionnelle de 1982*;

que cet article prévoit que la Constitution du Canada peut être modifiée par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de chaque province,

l'Assemblée législative de l'Ontario a résolu d'autoriser la modification de la Constitution du Canada par proclamation de Son Excellence le gouverneur général sous le grand sceau du Canada, en conformité avec l'annexe ci-jointe.

## ANNEXE

### MODIFICATION CONSTITUTIONNELLE DE 1987

#### *Loi constitutionnelle de 1867*

1. La *Loi constitutionnelle de 1867* est modifiée par insertion, après l'article 1, de ce qui suit:

Règle  
interprétative

«2. (1) Toute interprétation de la Constitution du Canada doit concorder avec :

a) la reconnaissance de ce que l'existence de Canadiens d'expression française, concentrés au Québec mais présents aussi dans le reste du pays, et de Canadiens d'expression anglaise, concentrés dans le reste du pays mais aussi présents au Québec, constitue une caractéristique fondamentale du Canada;

b) la reconnaissance de ce que le Québec forme au sein du Canada une société distincte.

Rôle du  
Parlement et  
des  
législatures

(2) Le Parlement du Canada et les législatures des provinces ont le rôle de protéger la caractéristique fondamentale du Canada visée à l'alinéa (1) a).

Rôle de la  
législature et  
du gouverne-  
ment du  
Québec

(3) La législature et le gouvernement du Québec ont le rôle de protéger et de promouvoir le caractère distinct du Québec visé à l'alinéa (1) b).

Maintien des  
droits des  
législatures et  
des gouverne-  
ments

(4) Le présent article n'a pas pour effet de déroger aux pouvoirs, droits ou privilèges du Parlement ou du gouvernement du Canada, ou des législatures ou des gouvernements des provinces, y compris à leurs pouvoirs, droits ou privilèges en matière de langue.»

2. La même loi est modifiée par insertion, après l'article 24, de ce qui suit :

Propositions

«25. (1) En cas de vacance au Sénat, le gouvernement de la province à représenter peut proposer au Conseil privé de la Reine pour le Canada des personnes susceptibles d'être nommées au siège vacant.

Choix des  
sénateurs

(2) Jusqu'à la modification, faite conformément à l'article 41 de la *Loi constitutionnelle de 1982*, de toute disposition de la Constitution du Canada relative au Sénat, les personnes nommées aux sièges vacants au Sénat sont choisies parmi celles qui ont été proposées par le gouvernement de la province à représenter et agréées par le Conseil privé de la Reine pour le Canada.»

3. La même loi est modifiée par insertion, après l'article 95, de ce qui suit :

*«Accords relatifs à l'immigration et aux aubains*

Engagement

95A. Sur demande du gouvernement d'une province, le gouvernement du Canada négocie avec lui en vue de conclure, en matière d'immigration ou d'admission temporaire des aubains dans la province, un accord adapté aux besoins et à la situation particulière de celle-ci.

Accords

95B. (1) Tout accord conclu entre le Canada et une province en matière d'immigration ou d'admission temporaire des aubains dans la province a, une fois faite la déclaration visée au paragraphe 95C(1), force de loi et a dès lors effet indépendamment tant du point 25 de l'article 91 que de l'article 95.



- Restriction (2) L'accord ayant ainsi force de loi n'a d'effet que dans la mesure de sa compatibilité avec les dispositions des lois du Parlement du Canada qui fixent des normes et objectifs nationaux relatifs à l'immigration et aux aubains, notamment en ce qui concerne l'établissement des catégories générales d'immigrants, les niveaux d'immigration au Canada et la détermination des catégories de personnes inadmissibles au Canada.
- Application de la Charte (3) La *Charte canadienne des droits et libertés* s'applique aux accords ayant ainsi force de loi et à toute mesure prise sous leur régime par le Parlement ou le gouvernement du Canada ou par la législature ou le gouvernement d'une province.
- Proclamation relative aux accords **95C.** (1) La déclaration portant qu'un accord visé au paragraphe 95B(1) a force de loi se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord.
- Modification des accords (2) La modification d'un accord visé au paragraphe 95B(1) se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée :
- a) soit par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord;
  - b) soit selon les modalités prévues dans l'accord même.
- Application des articles 46 à 48 de la *Loi constitutionnelle de 1982* **95D.** Les articles 46 à 48 de la *Loi constitutionnelle de 1982* s'appliquent, avec les adaptations nécessaires, à toute déclaration faite aux termes du paragraphe 95C(1), à toute modification d'un accord faite aux termes du paragraphe 95C(2) ou à toute modification faite aux termes de l'article 95E.
- Modification des articles 95A à 95D ou du présent article **95E.** Les articles 95A à 95D ou le présent article peuvent être modifiés conformément au paragraphe 38(1) de la *Loi constitutionnelle de 1982*, à condition que la modification soit autorisée par des résolutions des assemblées législatives de toutes les provinces qui sont, à l'époque de celle-ci, parties à un accord ayant force de loi aux termes du paragraphe 95B(1).»
4. La même loi est modifiée par insertion, avant l'article 96, de ce qui suit :

*«Dispositions générales»*

5. La même loi est modifiée par insertion, avant l'article 101, de ce qui suit :

*«Tribunaux créés par le Parlement du Canada»*

6. La même loi est modifiée par insertion, après l'article 101, de ce qui suit :

*«Cour suprême du Canada*

Maintien de  
la Cour  
suprême  
du Canada

**101A.** (1) La cour qui existe sous le nom de Cour suprême du Canada est maintenue à titre de cour générale d'appel pour le Canada et de cour additionnelle propre à améliorer l'application des lois du Canada. Elle conserve ses attributions de cour supérieure d'archives.

Composition

(2) La Cour suprême du Canada se compose du juge en chef, appelé juge en chef du Canada, et de huit autres juges, que nomme le gouverneur général en conseil par lettres patentes sous le grand sceau.

Conditions  
de  
nomination

**101B.** (1) Les juges sont choisis parmi les personnes qui, après avoir été admises au barreau d'une province ou d'un territoire, ont, pendant au moins dix ans au total, été juges de n'importe quel tribunal du pays ou inscrites au barreau de n'importe quelle province ou de n'importe quel territoire.

Québec :  
trois juges

(2) Au moins trois des juges sont choisis parmi les personnes qui, après avoir été admises au barreau du Québec, ont, pendant au moins dix ans au total, été inscrites à ce barreau ou juges d'un tribunal du Québec ou d'un tribunal créé par le Parlement du Canada.

Propositions  
de  
nomination

**101C.** (1) En cas de vacance à la Cour suprême du Canada, le gouvernement de chaque province peut proposer au ministre fédéral de la Justice, pour la charge devenue vacante, des personnes admises au barreau de cette province et remplissant les conditions visées à l'article 101B.

Nomination  
parmi les  
personnes  
proposées

(2) Le gouverneur général en conseil procède aux nominations parmi les personnes proposées et qui agrément au Conseil privé de la Reine pour le Canada; le présent paragraphe ne s'applique pas à la nomination du juge en chef dans les cas où il est choisi parmi les juges de la Cour suprême du Canada.

Nomination  
parmi les  
personnes  
proposées  
par le  
Québec

(3) Dans le cas de chacune de trois nominations à faire conformément au paragraphe 101B(2), le gouverneur général en conseil nomme une personne proposée par le gouvernement du Québec.

Nomination  
parmi les  
personnes  
proposées  
par les autres  
provinces

(4) Dans le cas de toute autre nomination, le gouverneur général en conseil nomme une personne proposée par le gouvernement d'une autre province que le Québec.

Inamovibilité,  
traitement,  
etc.

**101D.** Les articles 99 et 100 s'appliquent aux juges de la Cour suprême du Canada.

Rapport avec  
l'article 101

**101E.** (1) Sous réserve que ne soient pas adoptées, dans les matières visées à l'article 101, de dispositions incompatibles avec les articles 101A à 101D, ceux-ci n'ont pas pour effet de porter atteinte à la compétence législative conférée au Parlement du Canada en ces matières.

Renvois à la  
Cour  
suprême du  
Canada

(2) Il est entendu que l'article 101A n'a pas pour effet de porter atteinte à la compétence législative du Parlement du Canada en ce qui concerne le renvoi à la Cour suprême du Canada de questions de droit ou de fait, ou de toute autre question.»

**7.** La même loi est modifiée par insertion, après l'article 106, de ce qui suit :

Programmes  
cofinancés

«**106A.** (1) Le gouvernement du Canada fournit une juste compensation au gouvernement d'une province qui choisit de ne pas participer à un programme national cofinancé qu'il établit après l'entrée en vigueur du présent article dans un secteur de compétence exclusive provinciale, si la province applique un programme ou une mesure compatible avec les objectifs nationaux.

Non-élargis-  
sement des  
compétences  
législatives

(2) Le présent article n'élargit pas les compétences législatives du Parlement du Canada ou des législatures des provinces.»

**8.** La même loi est modifiée par insertion, après l'article 147, de ce qui suit :

## «XII. — CONFÉRENCES SUR L'ÉCONOMIE ET SUR D'AUTRES QUESTIONS

Convocation

**148.** Le premier ministre du Canada convoque au moins une fois par an une conférence réunissant les premiers ministres provinciaux et lui-même et portant sur l'économie canadienne ainsi que sur toute autre question appropriée.

## XIII. — MENTIONS

Présomption

**149.** Toute mention de la présente loi est réputée constituer également une mention de ses modifications.»

## *Loi constitutionnelle de 1982*

**9.** Les articles 40 à 42 de la *Loi constitutionnelle de 1982* sont abrogés et remplacés par ce qui suit :

Compen-  
sation

«40. Le Canada fournit une juste compensation aux provinces auxquelles ne s'applique pas une modification faite conformément au paragraphe 38(1) et relative à un transfert de compétences législatives provinciales au Parlement.

Consente-  
ment  
unanime

41. Toute modification de la Constitution du Canada portant sur les questions suivantes se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de chaque province :

a) la charge de Reine, celle de gouverneur général et celle de lieutenant-gouverneur;

b) les pouvoirs du Sénat et le mode de sélection des sénateurs;

c) le nombre des sénateurs par lesquels une province est habilitée à être représentée et les conditions de résidence qu'ils doivent remplir;

d) le droit d'une province d'avoir à la Chambre des communes un nombre de députés au moins égal à celui des sénateurs par lesquels elle était habilitée à être représentée le 17 avril 1982;

e) le principe de la représentation proportionnelle des provinces à la Chambre des communes prévu par la Constitution du Canada;

f) sous réserve de l'article 43, l'usage du français ou de l'anglais;

g) la Cour suprême du Canada;

h) le rattachement aux provinces existantes de tout ou partie des territoires;

i) par dérogation à toute autre loi ou usage, la création de provinces;

j) la modification de la présente partie.»

10. L'article 44 de la même loi est abrogé et remplacé par ce qui suit :

Modification  
par le  
Parlement

«44. Sous réserve de l'article 41, le Parlement a compétence exclusive pour modifier les dispositions de la Constitution du Canada relatives au pouvoir exécutif fédéral, au Sénat ou à la Chambre des communes.»



**11.** Le paragraphe 46(1) de la même loi est abrogé et remplacé par ce qui suit :

Initiative des  
procédures

«**46.** (1) L'initiative des procédures de modification visées aux articles 38, 41 et 43 appartient au Sénat, à la Chambre des communes ou à une assemblée législative.»

**12.** Le paragraphe 47(1) de la même loi est abrogé et remplacé par ce qui suit :

Modification  
sans  
résolution du  
Sénat

«**47.**(1) Dans les cas visés à l'article 38, 41 ou 43, il peut être passé outre au défaut d'autorisation du Sénat si celui-ci n'a pas adopté de résolution dans un délai de cent quatre-vingts jours suivant l'adoption de celle de la Chambre des communes et si cette dernière, après l'expiration du délai, adopte une nouvelle résolution dans le même sens.»

**13.** La partie VI de la même loi est abrogée et remplacée par ce qui suit :

#### «PARTIE VI

#### CONFÉRENCES CONSTITUTIONNELLES

Convocation

**50.** (1) Le premier ministre du Canada convoque au moins une fois par an une conférence constitutionnelle réunissant les premiers ministres provinciaux et lui-même, la première devant avoir lieu en 1988.

Ordre du  
jour

(2) Sont placées à l'ordre du jour de ces conférences les questions suivantes :

*a)* la réforme du Sénat, y compris son rôle et ses fonctions, ses pouvoirs, le mode de sélection des sénateurs et la représentation au Sénat;

*b)* les rôles et les responsabilités en matière de pêches;

*c)* toutes autres questions dont il est convenu.»

**14.** Le paragraphe 52(2) de la même loi est modifié par adjonction de ce qui suit :

«*d)* les autres modifications qui lui sont apportées.»

**15.** L'article 61 de la même loi est abrogé et remplacé par ce qui suit :

Mentions

«**61.** Toute mention de la *Loi constitutionnelle de 1982* ou des *Lois constitutionnelles de 1867 à 1982* est réputée constituer également une mention de leurs modifications.»

*Dispositions générales*

Patrimoine  
multiculturel  
et peuples  
autochtones

**16.** L'article 2 de la *Loi constitutionnelle de 1867* n'a pas pour effet de porter atteinte aux articles 25 ou 27 de la *Charte canadienne des droits et libertés*, à l'article 35 de la *Loi constitutionnelle de 1982* ou au point 24 de l'article 91 de la *Loi constitutionnelle de 1867*.

TITRE

Titre

**17.** Titre de la présente modification : *Modification constitutionnelle de 1987. Le 24 novembre 1987.*

10. *Mr Conway*—Resolution—That the 1987-1988 Estimates and Supplementary Estimates which have not yet been passed by the committees and reported to the House be deemed to be passed and reported to the House, and that the 1987-1988 Estimates and Supplementary Estimates be deemed to be concurred in. *April 7, 1988.*
11. *Mr Nixon*—Resolution—That this House approves in general the Budgetary Policy of the Government. *April 19, 1988.*

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**MOTION OF NON-CONFIDENCE  
UNDER STANDING ORDER 70 (a)**

1. *Mr Rae* (York South)—Notice—That the Government lacks the confidence of this House because of its abject failure to provide decent, affordable housing for the working families of Ontario—in particular, through its failure to increase the supply of affordable housing; through its failure to protect the existing housing stock; and through its failure to protect tenants. *April 11, 1988.*
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## PRIVATE MEMBERS' MOTIONS

1. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that huge rent increases year after year are constituting a threat to the competitiveness and survival of retail business in commercial strips serving residential neighbourhoods, the Government of Ontario should introduce legislation as soon as possible to regulate the rents for such business establishments in order to provide those businesses with protection from gouging landlords comparable to the protection given to tenants of residential rental premises under the Residential Rent Regulation Act, 1986. *November 10, 1987.*
2. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that part-time workers in both the public and private sector are discriminated against by the denial of many benefits and rights provided to other workers in the same establishment, a charter of rights for part-time workers should be added to both the Employment Standards Act and the Labour Relations Act to provide pro rata benefits and collective bargaining rights to such workers and that they be made eligible for severance pay and retraining and readjustment programs provided for other workers displaced by technological change in the same establishment. *November 10, 1987.*
4. *Mr Morin-Strom*—Resolution—That, in the opinion of this House, recognizing the importance of the TransCanada Highway to our nation and to our province, the government of Ontario should upgrade the TransCanada Highway to a modern four-lane system through Northern Ontario to the Manitoba border, and that the government should immediately commence design and schedule construction to ensure completion across Northern Ontario by 1997. *November 18, 1987.*
9. *Mr Wildman*—Resolution—That, in the opinion of this House, the plans of the Canada Post Corporation to close, amalgamate or franchise many rural post offices and to eliminate or tender rural route services in order to reduce its operating deficit would reduce essential mail services from many rural Ontario communities, causing severe hardship and inconvenience to rural Ontarians, particularly the elderly and disabled; the Government of Ontario should urge the Government of Canada to halt, immediately, these plans to cut service and maintain and improve rural postal services across Ontario. *December 8, 1987.*
10. *Mr Swart*—Resolution—That, in the opinion of this House, recognizing the particular desirability of the protection of consumers of bereavement services from the business practices associated with corporate concentration and the desirability of fostering and encouraging the small business sector in Ontario, the Government of Ontario should introduce legislation as soon as possible to further regulate the bereavement industry to ensure the following:
  1. That a Board of Bereavement Services, composed of representatives of the public and the various sectors and sub-sectors of the bereavement services industry, be constituted to make recommendations to

the Minister of Consumer and Commercial Relations and the Minister of Health on further reforms of the regulation of bereavement services and to act as the licensing and regulating body for funeral directors, funeral service establishments, cemeterians, cemeteries, monument builders and monument building firms;

2. That the bereavement services industry be divided into three sectors, consisting of cemeteries, funeral services and monument builders and that no proprietor, partnership or corporate entity be allowed to offer services in more than one of these sectors and that any operator who currently offers services in more than one of the sectors be allowed five years to divest itself of operations in more than one sector and where one corporate entity owns more than twenty-five per cent of the shares in other corporate entities operating in more than one of the sectors, relations between such entities shall be at arm's length;
  3. That funeral service establishments may act as agents for monument building firms in rural areas where the Board of Bereavement Services establishes that a consumer need exists and where there is no monument building firm willing to establish in such rural areas;
  4. That the ownership of any proprietorship, partnership or corporate entity involved in the provision of bereavement services must be fully disclosed to the public, including the names of all shareholders in a corporate entity who hold more than ten per cent of the shares in such entity;
  5. That no funeral service facility be allowed on the grounds of, or adjoining the grounds of, a cemetery;
  6. That for the purpose of provincial business and corporate income taxation, as well as for the purpose of municipal property taxation, cemeteries be categorized as either non-profit or commercial and that those categorized as non-profit be exempt from income and property tax and those categorized as commercial be subject to income taxation and to property taxation on all lands less each grave space occupied by a deceased person;
  7. That funeral services be sold only by a licensed funeral director through a licensed funeral service establishment, cemetery services be sold only by a licensed cemeterian through a licensed cemetery and upright monument services be sold only by a licensed monument builder through a licensed monument building firm; and
  8. That there be no telephone or door-to-door solicitation of funeral, cemetery or monument services. *December 14, 1987.*
12. *Mr Runciman*—Resolution—That, in the opinion of this House, recognizing that there have been twenty-eight bank branch closures across Ontario between 1982 and 1986 which have left many small communities without adequate banking services, the Government of Ontario should review all requests for satellite banking services and establish Province of Ontario



Savings Offices in those areas where population levels demonstrate a need for them and where financial benefit can be determined. *December 15, 1987.*

13. *Mr Sterling*—Resolution—That, in the opinion of this House, recognizing the devastating and lethal impact of tobacco on the health of our citizenry, and recognizing the tobacco industry's attempt to advertise in a manner designed to undermine the health warnings of its hazardous product, the Government of Ontario should pursue every opportunity to express its support for the Federal Government's initiative, Bill C-51, the *Tobacco Products Control Act*, An Act to prohibit the advertising and promotion and respecting the labelling and monitoring of tobacco products. *December 15, 1987.*
19. *Mr Swart*—Resolution—That, in the opinion of this House, recognizing the need for the expansion of hospital beds and related facilities in scores of communities across the province, and given the undesirability of using the regressive property tax system for funding such construction or renovation, the Lieutenant Governor-in-Council should amend Ontario Regulation 859 under the Public Hospitals Act which now limits provincial contributions to a ceiling of two thirds (five sixths on the North)—a ceiling seldom reached—to allow the provincial contribution to be 100% of the costs. *April 7, 1988.*
20. *Mr Cooke (Windsor-Riverside)*—Resolution—That, in the opinion of this House, recognizing that the scope and recommendations of the Task Force on Inflation Protection for Employment Pension Plans failed to meet the concerns of workers and most particularly retirees whose pensions have already been eroded by inflation but who will get nothing from these proposals, this Legislature strongly urges the Government of Ontario to:
  - introduce legislation to require indexation of all pensions with the same indexing formula applicable to current plan members, current pensioners and those entitled to a deferred pension.
  - place an immediate moratorium on the use of contribution holidays which are, in fact just another means of surplus withdrawals. *April 13, 1988.*
21. *Mr Carrothers*—Resolution—That, in the opinion of this House, recognizing that cancer continues to be a major source of fatality in Ontario and recognizing the need for extensive research, diagnosis and treatment, the Government of Ontario should support the development of a community based cancer clinic network. *April 14, 1988.*
22. *Mr Harris*—Resolution—That, in the opinion of this House, all future legislation which would establish an agency, board, commission or regulatory system or create new direct expenditures or tax expenditures must contain a sunset provision which would, after a specified period of time, require mandatory review of the original legislation by a committee of this House. The Committee would be mandated to report to this House on the impact of the legislation, the degree to which the program and policy objectives

have been met and make recommendations as to whether the legislation, regulations, program or agency should be continued, terminated or amended. Further, this House is of the opinion that all existing legislation which has established an agency, board, commission or regulatory system or created new direct expenditures or tax expenditures should, over the next five years be reviewed by a committee of this House with the mandate indicated above. *April 14, 1988.*

23. *Mr Runciman*—Resolution—That, in the opinion of this House, the Premier of Ontario should institute a system whereby any supplementary appropriations approved by Management Board of Cabinet are referred within 15 days of approval to the Standing Committee on Public Accounts for its consideration. *April 18, 1988.*
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## QUESTIONS

*(Questions are to appear on the day after they are tabled and on every subsequent day in the week they are tabled and then subsequently only on each Monday until an Answer (other than an Interim Answer) is tabled. A question tabled on a Thursday will appear on each day of the following week.)*

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103. *Mrs Cunningham*—Enquiry of the Ministry—Would the Minister of Skills Development provide a complete financial report on the Summer Experience '88 program including a breakdown of all administrative and advertising costs including, how many Experience '88 guide books were printed, at what cost, who they were distributed to and when. *April 14, 1988.*
  
  104. *Mrs Cunningham*—Enquiry of the Ministry—Would the Minister of Skills Development provide a detailed report on the number of applications received under the Summer Experience '88 program as of the close of applications on April 8, 1988. *April 14, 1988.*
  
  105. *Mrs Cunningham*—Enquiry of the Ministry—Would the Minister of Skills Development provide a complete financial report on the Ontario Summer Employment Program including; how many guideline booklets were printed, at what cost, who they were distributed to and when. *April 14, 1988.*
  
  106. *Mrs Cunningham*—Enquiry of the Ministry—Would the Minister of Skills Development provide a complete financial report on the "Work, Training & Business Opportunities for young people" folder delivered to Members offices during the week of April 4, 1988 including a breakdown of all production and administrative costs, how many folders were printed, at what cost, who they were distributed to and when. *April 14, 1988.*
  
  107. *Mr McLean*—Enquiry of the Ministry—Would the Minister of Natural Resources provide a list of all Ministers and their staff, other Ministry staff, as well as their families and friends, who have used government-owned, or leased, aircraft during the period August 1, 1987 to December 31, 1987, inclusive. *April 19, 1988.*
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## PRIVATE MEMBERS' BUSINESS TO BE DEBATED

*(Precedence in accordance with the Standing Order 71 (d).)*

Ballot Item No. 15—*To be debated on Thursday, April 21, 1988.*

*Mr Harris*—Resolution—That, in the opinion of this House, all future legislation which would establish an agency, board, commission or regulatory system or create new direct expenditures or tax expenditures must contain a sunset provision which would, after a specified period of time, require mandatory review of the original legislation by a committee of this House. The Committee would be mandated to report to this House on the impact of the legislation, the degree to which the program and policy objectives have been met and make recommendations as to whether the legislation, regulations, program or agency should be continued, terminated or amended. Further, this House is of the opinion that all existing legislation which has established an agency, board, commission or regulatory system or created new direct expenditures or tax expenditures should, over the next five years be reviewed by a committee of this House with the mandate indicated above.

Ballot Item No. 16—*To be debated on Thursday, April 21, 1988.*

*Mr Carrothers*—Resolution—That, in the opinion of this House, recognizing that cancer continues to be a major source of fatality in Ontario and recognizing the need for extensive research, diagnosis and treatment, the Government of Ontario should support the development of a community based cancer clinic network.

Ballot Item No. 17—*To be debated on Thursday, April 28, 1988.*

*Mr Cooke (Windsor-Riverside)*—Resolution—That, in the opinion of this House, recognizing that the scope and recommendations of the Task Force on Inflation Protection for Employment Pension Plans failed to meet the concerns of workers and most particularly retirees whose pensions have already been eroded by inflation but who will get nothing from these proposals, this Legislature strongly urges the Government of Ontario to:

- introduce legislation to require indexation of all pensions with the same indexing formula applicable to current plan members, current pensioners and those entitled to a deferred pension.
  - place an immediate moratorium on the use of contribution holidays which are, in fact just another means of surplus withdrawals.
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## BILLS REFERRED TO STANDING COMMITTEES

### STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Bill Pr1, An Act respecting Canada Christian College and School of Graduate Theological Studies. *Mr Allen. (Referred November 18, 1987.)*

Bill Pr2, An Act to revive Big Cedar Association. *Mr Owen. (Referred February 8, 1988.)*

Bill Pr4, An Act respecting The Ottawa Civil Service Recreational Association. *Mr Chiarelli. (Referred November 16, 1987.)*

Bill Pr5, An Act respecting The Chartered Institute of Marketing Management of Ontario. *Ms Hart. (Referred February 8, 1988.)*

Bill Pr7, An Act respecting the Driving School Association of Ontario. *Mr Ferraro. (Referred November 9, 1987.)*

Bill Pr11, An Act to revive L F P Management Limited. *Mrs Fawcett. (Referred April 12, 1988.)*

Bill Pr16, An Act respecting the City of Toronto. *Mr Kanter. (Referred December 8, 1987.)*

Bill Pr19, An Act respecting the City of Sudbury. *Mr Campbell. (Referred April 12, 1988.)*

Bill Pr24, An Act respecting the Hamilton Civic Hospitals. *Ms Collins. (Referred December 7, 1987.)*

Bill Pr25, An Act respecting Kingsway General Insurance Company. *Mr Cousens. (Referred December 9, 1987.)*

Bill Pr27, An Act respecting the Ontario Municipal Management Institute. *Mr Campbell. (Referred December 22, 1987.)*

Bill Pr28, An Act to revive Mid-Continent Bond Corporation, Limited. *Mr Ray (Windsor-Walkerville). (Referred April 6, 1988.)*

Bill Pr29, An Act respecting The United Church of Canada and The Canada Conference The Evangelical United Brethren Church. *Mr Epp. (Referred February 8, 1988.)*

Bill Pr30, An Act respecting The General Hospital of Port Arthur. *Mr Kozyra. (Referred December 3, 1987.)*

Bill Pr34, An Act to revive Machin Mines Limited. *Mr Kanter. (Referred February 9, 1988.)*

Bill Pr37, An Act respecting the University of Western Ontario. *Mr Reycraft. (Referred December 22, 1987.)*

Bill Pr38, An Act to revive Prow Yellowknife Gold Mines Ltd. *Mr Kanter. (Referred February 9, 1988.)*

Bill Pr40, An Act respecting the City of Trenton. *Mrs Fawcett. (Referred April 12, 1988.)*

Bill Pr49, An Act to revive Lebon Gold Mines Limited. *Mr Kanter. (Referred February 8, 1988.)*

Bill Pr56, An Act respecting the City of Toronto. *Mr Kanter. (Referred November 30, 1987.)*

Bill Pr67, An Act respecting the City of Hamilton. *Mr Charlton. (Referred December 3, 1987.)*

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## STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Bill 13, An Act respecting Environmental Rights in Ontario. *Mrs Grier. (Referred December 10, 1987.)*

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## STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Bill 50, An Act to provide for Community Mental Health Services. *Mr Reville. (Referred December 17, 1987.)*

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## MATTERS REFERRED TO SELECT COMMITTEES

### SELECT COMMITTEE ON EDUCATION

Consider and report on the role of the formal elementary and secondary school system in the successful transition of young students to adulthood in Ontario. *(Referred by Order of the House on February 11, 1988.)*

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### SELECT COMMITTEE ON ENERGY

Consider and report on Ontario Hydro Affairs. *(Referred by Order of the House on February 11, 1988.)*

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## SELECT COMMITTEE ON CONSTITUTIONAL REFORM

Consider and report on the 1987 Constitutional Accord (Sessional Paper No. 74), and matters related thereto. (*Referred by Order of the House on November 30, 1987.*)

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## MATTERS REFERRED TO STANDING COMMITTEES

*(In accordance with the Standing Orders, statutory annual reports of each ministry and of all agencies, boards and commissions reporting to each Minister for the immediate past reporting period stand permanently referred to the appropriate Standing Committees.)*

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## STANDING COMMITTEE ON FINANCE AND ECONOMIC AFFAIRS

Consider and report on the Canada-U.S. Free Trade Agreement (Sessional Paper Number 108). (*Referred by Order of the House on January 7, 1988.*)

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## STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Consider and report on Safety in Ontario Mines. (*Referred by Order of the House on January 7, 1988.*)

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## COMMITTEE MEETINGS

The Standing Committee on Finance and Economic Affairs will meet to consider the Free Trade Agreement as follows:

Thursday, 21 April	10.00 a.m.	Room No. 1
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The Standing Committee on the Ombudsman will meet to consider the 1986-1987 Annual Report of the Ombudsman as follows:

Wednesday, 20 April	10.00 a.m.	Room No. 151
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The Standing Committee on Public Accounts will meet to review the 1987 Annual Report of the Provincial Auditor as follows:

Thursday, 21 April	10.00 a.m. <i>in camera</i>	Room No. 151
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The Standing Committee on Regulations and Private Bills will meet to consider Bill Pr37, An Act respecting the University of Western Ontario; Bill Pr67, An Act respecting the City of Hamilton; Bill Pr5, An Act respecting The Chartered Institute of Marketing Management of Ontario; Bill Pr27, An Act respecting the Ontario Municipal Management Institute; Bill Pr29, An Act respecting The United Church of Canada and The Canada Conference The Evangelical United Brethren Church; and Bill Pr7, An Act respecting the Driving School Association of Ontario, as follows:

Wednesday, 20 April	10.00 a.m.	Committee Room No. 1
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## ESTIMATES

TOTAL HOURS FOR CONSIDERATION OF  
ALL ESTIMATES ..... 381 hrs., 30 mins.

### IN COMMITTEE OF SUPPLY

(Estimates to be taken in order shown)

- |   |                  |
|---|------------------|
| 1. Lieutenant Governor,<br>Premier and Cabinet Office ..... | 7 hrs., 30 mins. |
| 2. Government Services .....                                | 7 hrs., 30 mins. |
| <i>(Includes supplementaries, Number 2)†</i>                |                  |
| 3. Intergovernmental Affairs .....                          | 7 hrs., 30 mins. |
| 4. Management Board of Cabinet .....                        | 7 hrs., 30 mins. |
| 5. Revenue .....  | 7 hrs., 30 mins. |
| <i>(Includes supplementaries, Number 1)†</i>                |                  |
| 6. Francophone Affairs .....                                | 7 hrs., 30 mins. |

### IN STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

(Estimates to be taken in order shown)

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|---|--|
| 1. Treasury and Economics .....                   | <i>(Completed Tuesday, December 8, 1987)</i> |
| 2. Energy .....                                   | 5 hrs., 54 mins.                             |
| <i>(Includes supplementaries, Number 1)†</i>      |  |
| <i>(Adjourned at Vote 1301, Item 1)</i>           |  |
| 3. Attorney General .....                         | 7 hrs., 30 mins.                             |
| <i>(Includes supplementaries, Number 1)†</i>      |  |
| <i>(Includes supplementaries, Number 2)‡</i>      |  |
| 4. Consumer and Commercial Relations .....        | 7 hrs., 30 mins.                             |
| <i>(Includes supplementaries, Number 1)†</i>      |  |
| 5. Correctional Services .....                    | 7 hrs., 30 mins.                             |
| 6. Financial Institutions .....                   | 7 hrs., 30 mins.                             |
| 7. Office Responsible for<br>Native Affairs ..... | 7 hrs., 30 mins.                             |
| 8. Solicitor General .....                        | 7 hrs., 30 mins.                             |

†Supplementary Estimates Number 1 Tabled December 17, 1987.

‡Supplementary Estimates Number 2 Tabled February 9, 1988.

## IN STANDING COMMITTEE ON GENERAL GOVERNMENT

(Estimates to be taken in order shown)

1. Labour ..... 3 hrs., 06 mins.  
(Adjourned at Vote 2101, Item 1)
2. Northern Development ..... 7 hrs., 30 mins.
3. Office Responsible for  
Women's Issues ..... 7 hrs., 30 mins.

## IN STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

(Estimates to be taken in order shown)

1. Office of the Assembly ..... 5 hrs.  
(Includes supplementaries, Number 1)<sup>†</sup>
2. Office of the  
Chief Election Officer ..... 5 hrs.

## IN STANDING COMMITTEE ON THE OMBUDSMAN

(Estimates to be taken in order shown)

1. Office of the Ombudsman ..... 5 hrs.  
(Includes supplementaries, Number 1)<sup>†</sup>

## IN STANDING COMMITTEE ON PUBLIC ACCOUNTS

(Estimates to be taken in order shown)

1. Office of the Provincial Auditor .. (Completed Thursday, December 17, 1987)

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<sup>†</sup>Supplementary Estimates Number 1 Tabled December 17, 1987.

## IN STANDING COMMITTEE ON RESOURCES DEVELOPMENT

(Estimates to be taken in order shown)

1. Industry, Trade and Technology . (*Completed Thursday, December 10, 1987*)
2. Housing ..... (*Completed Thursday, December 17, 1987*)
3. Environment ..... 7 hrs., 30 mins.  
(*Includes supplementaries, Number 1*)<sup>†</sup>
4. Agriculture and Food ..... 7 hrs., 30 mins.  
(*Includes supplementaries, Number 1*)<sup>†</sup>
5. Mines ..... 7 hrs., 30 mins.
6. Municipal Affairs ..... 7 hrs., 30 mins.  
(*Includes supplementaries, Number 1*)<sup>†</sup>  
(*Includes supplementaries, Number 2*)<sup>‡</sup>
7. Natural Resources ..... 7 hrs., 30 mins.  
(*Includes supplementaries, Number 1*)<sup>†</sup>
8. Tourism and Recreation ..... 7 hrs., 30 mins.
9. Transportation ..... 7 hrs., 30 mins.  
(*Includes supplementaries, Number 1*)<sup>†</sup>
10. Industry, Trade and Technology ..... —  
(*Supplementaries only, Number 2*)<sup>‡</sup>
11. Housing ..... —  
(*Supplementaries only, Number 2*)<sup>‡</sup>

<sup>†</sup>Supplementary Estimates Number 1 Tabled December 17, 1987.<sup>‡</sup>Supplementary Estimates Number 2 Tabled February 9, 1988.

## IN STANDING COMMITTEE ON SOCIAL DEVELOPMENT

(Estimates to be taken in order shown)

1. Skills Development ..... (*Completed Thursday, December 10, 1987*)
2. Office for Disabled Persons ..... (*Completed Thursday, December 17, 1987*)
3. Education ..... 7 hrs., 30 mins.  
(*Includes supplementaries, Number 2*)‡
4. Office Responsible for  
Senior Citizens' Affairs ..... 7 hrs., 30 mins.
5. Citizenship ..... 7 hrs., 30 mins.
6. Colleges and Universities ..... 7 hrs., 30 mins.  
(*Includes supplementaries, Number 1*)†
7. Community and Social Services ..... 7 hrs., 30 mins.  
(*Includes supplementaries, Number 1*)†  
(*Includes supplementaries, Number 2*)‡
8. Culture and Communications ..... 7 hrs., 30 mins.
9. Health ..... 7 hrs., 30 mins.  
(*Includes supplementaries, Number 1*)†  
(*Includes supplementaries, Number 2*)‡
10. Skills Development ..... —  
(*Supplementaries only, Number 1*)†
11. Office for Disabled Persons ..... —  
(*Supplementaries only, Number 1*)†

†Supplementary Estimates Number 1 Tabled December 17, 1987.

‡Supplementary Estimates Number 2 Tabled February 9, 1988.







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# Orders and Notices

Legislative Assembly  
of the Province of Ontario



**1st Session, 34th Parliament**  
Wednesday, April 20, 1988

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## GOVERNMENT BILLS AND ORDERS

1. *Second Reading* Bill 4, An Act to amend the Metropolitan Toronto Police Force Complaints Act, 1984. *Mr Scott.* **PRINTED.**
2. *Second Reading* Bill 5, An Act to amend the Proceedings Against the Crown Act. *Mr Scott.* **PRINTED.**
3. *Second Reading* Bill 6, An Act to amend the Execution Act. *Mr Scott.* **PRINTED.**
4. *Second Reading* Bill 7, An Act to implement the Model Law on International Commercial Arbitration adopted by the United Nations Commission on International Trade Law. *Mr Scott.* **PRINTED.**

*Deuxième lecture* Projet de loi 7, Loi portant mise en application de la Loi type sur l'arbitrage commercial international adoptée par la Commission des Nations Unies pour le droit commercial international. *M. Scott.* **IMPRIMÉ.**

5. *Second Reading* Bill 9, An Act permitting Trustees and other Persons to dispose of South African investments. *Mr Scott.* **PRINTED.**

*Deuxième lecture* Projet de loi 9, Loi permettant aux fiduciaires et à d'autres personnes d'aliéner les placements sud-africains. *M. Scott.* **IMPRIMÉ.**

6. *Second Reading* Bill 15, An Act to amend the Barristers Act. *Mr Scott.* **PRINTED.**
7. *Second Reading* Bill 22, An Act to regulate Motor Vehicle Repairs. *Mr Wrye.* **PRINTED.**
8. *Second Reading* Bill 26, An Act to regulate Prepaid Services. *Mr Wrye.* **PRINTED.**
9. *Second Reading* Bill 27, An Act respecting Prearranged and Prepaid Funerals. *Mr Wrye.* **PRINTED.**
10. *Second Reading* Bill 28, An Act to amend the Funeral Services Act. *Mrs Caplan.* **PRINTED.**
11. *Second Reading* Bill 52, An Act to amend the Consumer Reporting Act. *Mr Wrye.* **PRINTED.**
12. *Second Reading* Bill 59, An Act to amend the Municipal Act and certain other Acts related to municipalities. *Mr Eakins.* **PRINTED.**
13. *Second Reading* Bill 66, An Act respecting Agricultural and Horticultural Organizations. *Mr Riddell.* **PRINTED.\***

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\*Lieutenant Governor's Recommendation received.



14. *Second Reading* Bill 68, An Act to promote the Conservation of Certain Land. *Mr Kerrio.* **PRINTED.**
15. *Second Reading* Bill 69, An Act to amend the Education Act. *Mr Ward.* **PRINTED.**
16. *Second Reading* Bill 70, An Act to amend the Education Act. *Mr Ward.* **PRINTED.**
17. *Second Reading* Bill 76, An Act to amend the Education Act and certain other Acts related to Education. *Mr Ward.* **PRINTED.**
18. *Second Reading* Bill 78, An Act respecting the Sale of Farm Implements. *Mr Riddell.* **PRINTED.**
19. *Second Reading* Bill 82, An Act respecting Energy Efficiency. *Mr Wong.* **PRINTED.**
20. *Second Reading* Bill 83, An Act respecting the Protection of Farm Practices. *Mr Riddell.* **PRINTED.**
21. *Second Reading* Bill 84, An Act to amend the Corporations Tax Act. *Mr Grandmaître.* **PRINTED.\***
22. *Second Reading* Bill 85, An Act to amend the Mining Tax Act. *Mr Grandmaître.* **PRINTED.\***
23. *Second Reading* Bill 86, An Act to amend the Highway Traffic Act. *Mr Fulton.* **PRINTED.**
24. *Second Reading* Bill 87, An Act to amend the Ontario Highway Transport Board Act. *Mr Fulton.* **PRINTED.**
25. *Second Reading* Bill 88, An Act to regulate Truck Transportation. *Mr Fulton.* **PRINTED.**
26. *Second Reading* Bill 90, An Act respecting the United Nations Convention on Contracts for the International Sale of Goods. *Mr Scott.* **PRINTED.**

*Deuxième lecture* Projet de loi 90, Loi concernant la Convention des Nations Unies sur les contrats de vente internationale de marchandises. *M. Scott.* **IMPRIMÉ.**

27. *Second Reading* Bill 93, An Act to revise the Justices of the Peace Act. *Mr Scott.* **PRINTED.**

*Deuxième lecture* Projet de loi 93, Loi portant révision de la Loi sur les juges de paix. *M. Scott.* **IMPRIMÉ.**

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\*Lieutenant Governor's Recommendation received.

28. *Second Reading* Bill 98, An Act to amend the Public Transportation and Highway Improvement Act. *Mr Fulton.* **PRINTED.**
  29. *Second Reading* Bill 99, An Act to amend the Ministry of Transportation and Communications Act. *Mr Fulton.* **PRINTED.**
  30. *Second Reading* Bill 100, An Act to amend the Education Act. *Mr Ward.* **PRINTED.**
  31. *Second Reading* Bill 101, An Act to repeal the Ministry of Transportation and Communications Creditors Payment Act. *Mr Fulton.* **PRINTED.**
  32. *Second Reading* Bill 102, An Act to amend the Construction Lien Act, 1983. *Mr Fulton.* **PRINTED.**
  33. *Second Reading* Bill 106, An Act to amend the Municipal Elections Act and the Municipal Act. *Mr Eakins.* **PRINTED.**
  34. *Second Reading* Bill 107, An Act to amend the Child and Family Services Act, 1984. *Mr Sweeney.* **PRINTED.**
  35. *Second Reading* Bill 108, An Act to amend the Rental Housing Protection Act, 1986. *Ms Hošek.* **PRINTED.**
  36. *Second Reading* Bill 109, An Act to establish a French-language School Board for The Regional Municipality of Ottawa-Carleton. *Mr Ward.* **PRINTED.**
- Deuxième lecture* Projet de loi 109, Loi portant création d'un Conseil scolaire de langue française pour la municipalité régionale d'Ottawa-Carleton. *M. Ward.* **IMPRIMÉ.**
37. *Resuming the Adjourned Debate* on the Motion for Adoption of the Recommendations contained in the Report of the Standing Committee on the Legislative Assembly on the Service of Process within the Precincts of the House.
  38. *Concurrence in Supply* for the Ministry of Treasury and Economics.
  39. *Concurrence in Supply* for the Ministry of Skills Development.
  40. *Concurrence in Supply* for the Ministry of Industry, Trade and Technology.
  41. *Concurrence in Supply* for the Office of the Provincial Auditor.
  42. *Concurrence in Supply* for the Office for Disabled Persons.
  43. *Concurrence in Supply* for the Ministry of Housing.
  44. *House in Committee of Supply.*
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## PRIVATE MEMBERS' PUBLIC BILLS AND ORDERS

### 45. *Committee of the Whole House:*

Bill 24, An Act to establish a Tourism Advisory Board. *Mr McLean*.  
**PRINTED.**

Bill 75, An Act to establish the Municipal Council Retirement Fund and to provide Retirement Allowances to Municipal Councillors. *Mr Cureatz*. **PRINTED.**

46. *Second Reading* Bill 3, An Act to protect the Public Health and Comfort and the Environment by Prohibiting and Controlling Smoking in Public Places. *Mr Sterling*. **PRINTED.**

47. *Second Reading* Bill 8, An Act to amend the Representation Act, 1986. *Mr Villeneuve*. **PRINTED.**

48. *Second Reading* Bill 10, An Act to amend the Election Act, 1984. *Mr Cousens*. **PRINTED.**

49. *Second Reading* Bill 12, An Act to ban Sunday racing and intertrack wagering at Greenwood Raceway and to change the composition and procedures of the Ontario Racing Commission. *Ms Bryden*. **PRINTED.**

50. *Second Reading* Bill 14, An Act to protect and enhance the Quality of Drinking Water in Ontario. *Mrs Grier*. **PRINTED.**

51. *Second Reading* Bill 16, An Act to encourage the Rehabilitation of Water Delivery Systems in Ontario. *Mrs Marland*. **PRINTED.**

52. *Second Reading* Bill 17, An Act to amend the Planning Act, 1983. *Mr Johnston* (Scarborough West). **PRINTED.**

53. *Second Reading* Bill 18, An Act to provide for the Conversion of Technologies and Skills used in the Nuclear Weapons Industry to Civilian Use. *Mr Johnston* (Scarborough West). **PRINTED.**

54. *Second Reading* Bill 23, An Act to proclaim 1995 as the 150th Anniversary of the arrival of Irish Immigrants in Canada. *Mr Pollock*. **PRINTED.**

55. *Second Reading* Bill 30, An Act to amend the Pension Benefits Act. *Mr Mackenzie*. **PRINTED.**

56. *Second Reading* Bill 31, An Act to amend the Employment Standards Act. *Mr Mackenzie*. **PRINTED.**

57. *Second Reading* Bill 32, An Act to provide for the Employment of Disabled Persons. *Mr Mackenzie*. **PRINTED.**

58. *Second Reading* Bill 33, An Act to amend the Education Act. *Mr Mackenzie*. **PRINTED.**

59. *Second Reading* Bill 34, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
60. *Second Reading* Bill 35, An Act to amend the Public Vehicles Act. *Mr Mackenzie.* **PRINTED.**
61. *Second Reading* Bill 36, An Act to provide Political Rights for Public Servants. *Mr Mackenzie.* **PRINTED.**
62. *Second Reading* Bill 37, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
63. *Second Reading* Bill 38, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
64. *Second Reading* Bill 39, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
65. *Second Reading* Bill 40, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
66. *Second Reading* Bill 41, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
67. *Second Reading* Bill 42, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
68. *Second Reading* Bill 43, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
69. *Second Reading* Bill 44, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
70. *Second Reading* Bill 45, An Act to amend the Children's Law Reform Act. *Mr Cousens.* **PRINTED.**
71. *Second Reading* Bill 47, An Act to amend the Highway Traffic Act. *Mrs Grier.* **PRINTED.**
72. *Second Reading* Bill 48, An Act to amend the Police Act. *Mr Eves.* **PRINTED.**
73. *Second Reading* Bill 49, An Act to relieve Persons from Liability in respect of voluntary Emergency Medical and First Aid Services. *Mr Haggerty.* **PRINTED.**
74. *Second Reading* Bill 53, An Act to provide for the Safety and Welfare of Crown Witnesses in Certain Criminal Proceedings. *Mr Runciman.* **PRINTED.**
75. *Second Reading* Bill 57, An Act to amend the Energy Act. *Mr Wildman.* **PRINTED.**



76. *Second Reading* Bill 60, An Act respecting the Sale of Farm Machinery and Equipment in Ontario. *Mr Wildman.* **PRINTED.**
77. *Second Reading* Bill 62, An Act to amend the Health Protection and Promotion Act, 1983. *Mr Henderson.* **PRINTED.**
78. *Second Reading* Bill 63, An Act to amend the Laboratory and Specimen Collection Centre Licensing Act. *Mr Henderson.* **PRINTED.**
79. *Second Reading* Bill 64, An Act to amend the Health Insurance Act. *Mr Henderson.* **PRINTED.**
80. *Second Reading* Bill 67, An Act to establish the East/Central Ontario Recreational Trails Commission. *Mr Pollock.* **PRINTED.**
81. *Second Reading* Bill 71, An Act to amend the Occupational Health and Safety Act. *Mr Rae (York South).* **PRINTED.**
82. *Second Reading* Bill 72, An Act respecting Simcoe Day. *Mr McLean.* **PRINTED.**
83. *Second Reading* Bill 73, An Act to amend the Public Service Superannuation Act. *Mr McLean.* **PRINTED.**
84. *Second Reading* Bill 74, An Act to amend the Legislative Assembly Retirement Allowances Act. *Mr McLean.* **PRINTED.**
85. *Second Reading* Bill 89, An Act requiring municipalities to establish Programs for the Recycling of Garbage. *Mrs Marland.* **PRINTED.**
86. *Second Reading* Bill 91, An Act to amend the Election Act. *Mr Sterling.* **PRINTED.**
87. *Second Reading* Bill 92, An Act to prevent unjust enrichment through the Financial Exploitation of Crime. *Mr Wildman.* **PRINTED.**
88. *Second Reading* Bill 94, An Act to prohibit Discrimination by Municipalities against Unrelated Persons Occupying Residential Property. *Mr Jackson.* **PRINTED.**
89. *Second Reading* Bill 95, An Act to amend the Children's Law Reform Act. *Mr Henderson.* **PRINTED.**
90. *Second Reading* Bill 96, An Act to amend the Highway Traffic Act. *Mr Wildman.* **PRINTED.**
91. *Second Reading* Bill 97, An Act to amend Human Rights Code, 1981. *Mr Reville.* **PRINTED.**
92. *Second Reading* Bill 103, An Act respecting Living Wills. *Mr Cureatz.* **PRINTED.**

93. *Second Reading* Bill 104, An Act to amend the Courts of Justice Act, 1984.  
*Mr Cureatz. PRINTED.*
94. *Second Reading* Bill 105, An Act to amend the Legislative Assembly Act.  
*Mr Cureatz. PRINTED.*
95. *Second Reading* Bill 110, An Act to declare Remembrance Day as a Holiday  
for Veterans. *Mr Henderson. PRINTED.*
96. *Second Reading* Bill 111, An Act to amend the Legislative Assembly Act.  
*Mr Swart. PRINTED.*
97. *Second Reading* Bill 112, An Act to amend the Legislative Assembly Act.  
*Mr Epp. PRINTED.*

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#### PRIVATE BILLS

98. *Second Reading* Bill Pr10, An Act respecting the Oshawa Public Utilities  
Commission. *Mr Breaugh. PRINTED.*
99. *Second Reading* Bill Pr22, An Act respecting the City of Mississauga. *Mr  
Offer. REPRINTED.*
100. *Second Reading* Bill Pr62, An Act respecting The Windsor Utilities  
Commission. *Mr Ray (Windsor-Walkerville). PRINTED.*
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## NOTICES

### GOVERNMENT MOTIONS

6. *Mr. Peterson*—Resolution—WHEREAS the *Constitution Act, 1982* came into force on April 17, 1982, following an agreement between Canada and all the provinces except Quebec;

AND WHEREAS the Government of Quebec has established a set of five proposals for constitutional change and has stated that amendments to give effect to those proposals would enable Quebec to resume a full role in the constitutional councils of Canada;

AND WHEREAS the amendment proposed in the schedule hereto sets out the basis on which Quebec's five constitutional proposals may be met;

AND WHEREAS the amendment proposed in the schedule hereto also recognizes the principle of the equality of all the provinces, provides new arrangements to foster greater harmony and cooperation between the Government of Canada and the governments of the provinces and requires that conferences be convened to consider important constitutional, economic and other issues;

AND WHEREAS certain portions of the amendment proposed in the schedule hereto relate to matters referred to in section 41 of the *Constitution Act, 1982*;

AND WHEREAS section 41 of the *Constitution Act, 1982* provides that an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and the House of Commons and of the legislative assembly of each province;

NOW THEREFORE the Legislative Assembly of Ontario resolves that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by Her Excellency the Governor General under the Great Seal of Canada in accordance with the schedule hereto.

### SCHEDULE

#### CONSTITUTION AMENDMENT, 1987

##### *Constitution Act, 1867*

1. The *Constitution Act, 1867* is amended by adding thereto, immediately after section 1 thereof, the following section:

Interpre-  
tation

- “2. (1) The Constitution of Canada shall be interpreted in a manner consistent with

(a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present elsewhere

in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada; and

(b) the recognition that Quebec constitutes within Canada a distinct society.

Role of  
Parliament  
and  
legislatures

(2) The role of the Parliament of Canada and the provincial legislatures to preserve the fundamental characteristic of Canada referred to in paragraph (1)(a) is affirmed.

Role of  
legislature  
and  
Government  
of Quebec

(3) The role of the legislature and Government of Quebec to preserve and promote the distinct identity of Quebec referred to in paragraph (1)(b) is affirmed.

Rights of  
legislatures  
and  
governments  
preserved

(4) Nothing in this section derogates from the powers, rights or privileges of Parliament or the Government of Canada, or of the legislatures or governments of the provinces, including any powers, rights or privileges relating to language.”

2. The said Act is further amended by adding thereto, immediately after section 24 thereof, the following section:

Names to be  
submitted

“25. (1) Where a vacancy occurs in the Senate, the Government of the province to which the vacancy relates may, in relation to that vacancy, submit to the Queen’s Privy Council for Canada the names of persons who may be summoned to the Senate.

Choice of  
Senators  
from names  
submitted

(2) Until an amendment to the Constitution of Canada is made in relation to the Senate pursuant to section 41 of the *Constitution Act, 1982*, the person summoned to fill a vacancy in the Senate shall be chosen from among persons whose names have been submitted under subsection (1) by the government of the province to which the vacancy relates and must be acceptable to the Queen’s Privy Council for Canada.”

3. The said Act is further amended by adding thereto, immediately after section 95 thereof, the following heading and sections:

*“Agreements on Immigration and Aliens*

Commitment  
to negotiate

95A. The Government of Canada shall, at the request of the government of any province, negotiate with the government of that province for the purpose of concluding an agreement relating to immigration or the temporary admission of aliens into that province that is appropriate to the needs and circumstances of that province.



## Agreements

**95B.** (1) Any agreement concluded between Canada and a province in relation to immigration or the temporary admission of aliens into that province has the force of law from the time it is declared to do so in accordance with subsection 95C(1) and shall from that time have effect notwithstanding class 25 of section 91 or section 95.

## Limitation

(2) An agreement that has the force of law under subsection (1) shall have effect only so long and so far as it is not repugnant to any provision of an Act of the Parliament of Canada that sets national standards and objectives relating to immigration or aliens, including any provision that establishes general classes of immigrants or relates to levels of immigration for Canada or that prescribes classes of individuals who are inadmissible into Canada.

## Application of Charter

(3) The *Canadian Charter of Rights and Freedoms* applies in respect of any agreement that has the force of law under subsection (1) and in respect of anything done by the Parliament or Government of Canada, or the legislature or government of a province, pursuant to any such agreement.

## Proclamation relating to agreements

**95C.** (1) A declaration that an agreement referred to in subsection 95B(1) has the force of law may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement.

## Amendment of agreements

(2) An amendment to an agreement referred to in subsection 95B(1) may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized

(a) by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement; or

(b) in such other manner as is set out in the agreement.

Application of sections 46 to 48 of *Constitution Act, 1982*

**95D.** Sections 46 to 48 of the *Constitution Act, 1982* apply, with such modifications as the circumstances require, in respect of any declaration made pursuant to subsection 95C(1), any amendment to an agreement made pursuant to subsection 95C(2) or any amendment made pursuant to section 95E.

## Amendments to sections 95A to 95D or this section

**95E.** An amendment to sections 95A to 95D or this section may be made in accordance with the procedure set out in subsection 38(1) of the *Constitution Act, 1982*, but only if the amendment is authorized by resolutions of the legislative assemblies of all the provinces that are, at the time of the

amendment, parties to an agreement that has the force of law under subsection 95B(1).”

4. The said Act is further amended by adding thereto, immediately preceding section 96 thereof, the following heading:

*“General”*

5. The said Act is further amended by adding thereto, immediately preceding section 101 thereof, the following heading:

*“Courts Established by the Parliament of Canada”*

6. The said Act is further amended by adding thereto, immediately after section 101 thereof, the following heading and sections:

*“Supreme Court of Canada*

Supreme  
Court  
continued

**101A.** (1) The court existing under the name of the Supreme Court of Canada is hereby continued as the general court of appeal for Canada, and as an additional court for the better administration of the laws of Canada, and shall continue to be a superior court of record.

Constitution  
of court

(2) The Supreme Court of Canada shall consist of a chief justice to be called the Chief Justice of Canada and eight other judges, who shall be appointed by the Governor General in Council by letters patent under the Great Seal.

Who may be  
appointed  
judges

**101B.** (1) Any person may be appointed a judge of the Supreme Court of Canada who, after having been admitted to the bar of any province or territory, has, for a total of at least ten years, been a judge of any court in Canada or a member of the bar of any province or territory.

Three judges  
from Quebec

(2) At least three judges of the Supreme Court of Canada shall be appointed from among persons who, after having been admitted to the bar of Quebec, have, for a total of at least ten years, been judges of any court of Quebec or of any court established by the Parliament of Canada, or members of the bar of Quebec.

Names may  
be submitted

**101C.** (1) Where a vacancy occurs in the Supreme Court of Canada, the government of each province may, in relation to that vacancy, submit to the Minister of Justice of Canada the names of any of the persons who have been admitted to the bar of that province and are qualified under section 101B for appointment to that court.

Appointment  
from names  
submitted

(2) Where an appointment is made to the Supreme Court of Canada, the Governor General in Council shall, except

where the Chief Justice is appointed from among members of the Court, appoint a person whose name has been submitted under subsection (1) and who is acceptable to the Queen's Privy Council for Canada.

Appointment  
from Quebec

(3) Where an appointment is made in accordance with subsection (2) of any of the three judges necessary to meet the requirement set out in subsection 101B(2), the Governor General in Council shall appoint a person whose name has been submitted by the Government of Quebec.

Appointment  
from other  
provinces

(4) Where an appointment is made in accordance with subsection (2) otherwise than as required under subsection (3), the Governor General in Council shall appoint a person whose name has been submitted by the government of a province other than Quebec.

Tenure,  
salaries, etc.  
of judges

**101D.** Sections 99 and 100 apply in respect of the judges of the Supreme Court of Canada.

Relationship  
to section 101

**101E.** (1) Sections 101A to 101D shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws under section 101 except to the extent that such laws are inconsistent with those sections.

References  
to the  
Supreme  
Court of  
Canada

(2) For greater certainty, section 101A shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws relating to the reference of questions of law or fact, or any other matters, to the Supreme Court of Canada."

**7.** The said Act is further amended by adding thereto, immediately after section 106 thereof, the following section:

Shared-cost  
program

**"106A.** (1) The Government of Canada shall provide reasonable compensation to the government of a province that chooses not to participate in a national shared-cost program that is established by the Government of Canada after the coming into force of this section in an area of exclusive provincial jurisdiction, if the province carries on a program or initiative that is compatible with the national objectives.

Legislative  
power not  
extended

(2) Nothing in this section extends the legislative powers of the Parliament of Canada or of the legislatures of the provinces."

**8.** The said Act is further amended by adding thereto the following heading and sections:

“XII — CONFERENCES ON THE ECONOMY AND OTHER  
MATTERS

Conferences  
on the  
economy and  
other matters

**148.** A conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year to discuss the state of Canadian economy and such other matters as may be appropriate.

XIII — REFERENCES

Reference  
includes  
amendments

**149.** A reference to this Act shall be deemed to include a reference to any amendments thereto.”

*Constitution Act, 1982*

**9.** Sections 40 to 42 of the *Constitution Act, 1982* are repealed and the following substituted therefor:

Compensation

“**40.** Where an amendment is made under subsection 38(1) that transfers legislative powers from provincial legislatures to Parliament, Canada shall provide reasonable compensation to any province to which the amendment does not apply.

Amendment  
by  
unanimous  
consent

**41.** An amendment to the Constitution of Canada in relation to the following matters may be made by proclamation issued by the Governor General under the Great Seal of Canada only where authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province:

(a) the office of the Queen, the Governor General and the Lieutenant Governor of a province;

(b) the powers of the Senate and the method of selecting Senators;

(c) the number of members by which a province is entitled to be represented in the Senate and the residence qualifications of Senators;

(d) the right of a province to a number of members in the House of Commons not less than the number of Senators by which the province was entitled to be represented on April 17, 1982;

(e) the principle of proportionate representation of the provinces in the House of Commons prescribed by the Constitution of Canada;

(f) subject to section 43, the use of the English or the French language;



(g) the Supreme Court of Canada;

(h) the extension of existing provinces into the territories;

(i) notwithstanding any other law or practice, the establishment of new provinces; and

(j) an amendment to this Part.”

**10.** Section 44 of the said Act is repealed and the following substituted therefor:

Amendments  
by  
Parliament

“**44.** Subject to section 41, Parliament may exclusively make laws amending the Constitution of Canada in relation to the executive government of Canada or the Senate and House of Commons.”

**11.** Subsection 46(1) of the said Act is repealed and the following substituted therefor:

Initiation of  
amendment  
procedures

“**46.** (1) The procedures for amendment under sections 38, 41 and 43 may be initiated either by the Senate or the House of Commons or by the legislative assembly of a province.”

**12.** Subsection 47(1) of the said Act is repealed and the following substituted therefor:

Amendments  
without  
Senate  
resolution

“**47.** (1) An amendment to the Constitution of Canada made by proclamation under section 38, 41 or 43 may be made without a resolution of the Senate authorizing the issue of the proclamation if, within one hundred and eighty days after the adoption by the House of Commons of a resolution authorizing its issue, the Senate has not adopted such a resolution and if, at any time after the expiration of that period, the House of Commons again adopts the resolution.”

**13.** Part VI of the said Act is repealed and the following substituted therefor:

#### “PART VI

#### CONSTITUTIONAL CONFERENCES

Constitutional  
conference

**50.** (1) A constitutional conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year, commencing in 1988.

Agenda

(2) The conferences convened under subsection (1) shall have included on their agenda the following matters:

(a) Senate reform, including the role and functions of the Senate, its powers, the method of selecting Senators and representation in the Senate;

(b) roles and responsibilities in relation to fisheries; and

(c) such other matters as are agreed upon.”

14. Subsection 52(2) of the said Act is amended by striking out the word “and” at the end of paragraph (b) thereof, by adding the word “and” at the end of paragraph (c) thereof and by adding thereto the following paragraph:

“(d) any other amendment to the Constitution of Canada.”

15. Section 61 of the said Act is repealed and the following substituted therefor:

References

“61. A reference to the *Constitution Act, 1982*, or a reference to the *Constitution Acts 1867 to 1982*, shall be deemed to include a reference to any amendments thereto.”

#### General

Multicultural  
heritage and  
aboriginal  
people

16. Nothing in section 2 of the *Constitution Act, 1867* affects section 25 or 27 of the *Canadian Charter of Rights and Freedoms*, section 35 of the *Constitution Act, 1982* or class 24 of section 91 of the *Constitution Act, 1867*.

#### CITATION

Citation

17. This amendment may be cited as the *Constitution Amendment, 1987. November 24, 1987*.

*M. Peterson—Résolution—*

Attendu :

que la *Loi constitutionnelle de 1982* est entrée en vigueur le 17 avril 1982, à la suite d'un accord conclu entre le Canada et toutes les provinces, sauf le Québec;

que, selon le gouvernement du Québec, l'adoption de modifications visant à donner effet à ses cinq propositions de révision constitutionnelle permettrait au Québec de jouer pleinement de nouveau son rôle dans les instances constitutionnelles canadiennes;

que le projet de modification figurant en annexe présente les modalités d'un règlement relatif aux cinq propositions du Québec;

que le projet reconnaît le principe de l'égalité de toutes les provinces et prévoit, d'une part, de nouveaux arrangements propres à renforcer l'harmonie et la coopération entre le gouvernement du Canada et ceux des provinces, d'autre part la tenue de conférences consacrées à l'étude d'importantes questions constitutionnelles, économiques et autres;

que le projet porte en partie sur des questions visées à l'article 41 de la *Loi constitutionnelle de 1982*;

que cet article prévoit que la Constitution du Canada peut être modifiée par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de chaque province,

l'Assemblée législative de l'Ontario a résolu d'autoriser la modification de la Constitution du Canada par proclamation de Son Excellence le gouverneur général sous le grand sceau du Canada, en conformité avec l'annexe ci-jointe.

## ANNEXE

### MODIFICATION CONSTITUTIONNELLE DE 1987

#### *Loi constitutionnelle de 1867*

1. La *Loi constitutionnelle de 1867* est modifiée par insertion, après l'article 1, de ce qui suit:

Règle  
interprétative

«2. (1) Toute interprétation de la Constitution du Canada doit concorder avec :

a) la reconnaissance de ce que l'existence de Canadiens d'expression française, concentrés au Québec mais présents aussi dans le reste du pays, et de Canadiens d'expression anglaise, concentrés dans le reste du pays mais aussi présents au Québec, constitue une caractéristique fondamentale du Canada;

b) la reconnaissance de ce que le Québec forme au sein du Canada une société distincte.

Rôle du  
Parlement et  
des  
législatures

(2) Le Parlement du Canada et les législatures des provinces ont le rôle de protéger la caractéristique fondamentale du Canada visée à l'alinéa (1) a).

Rôle de la  
législature et  
du gouverne-  
ment du  
Québec

(3) La législature et le gouvernement du Québec ont le rôle de protéger et de promouvoir le caractère distinct du Québec visé à l'alinéa (1) b).

Maintien des  
droits des  
législatures et  
gouverne-  
ments

(4) Le présent article n'a pas pour effet de déroger aux pouvoirs, droits ou privilèges du Parlement ou du gouvernement du Canada, ou des législatures ou des gouvernements des provinces, y compris à leurs pouvoirs, droits ou privilèges en matière de langue.»

2. La même loi est modifiée par insertion, après l'article 24, de ce qui suit :

Propositions

«25. (1) En cas de vacance au Sénat, le gouvernement de la province à représenter peut proposer au Conseil privé de la Reine pour le Canada des personnes susceptibles d'être nommées au siège vacant.

Choix des  
sénateurs

(2) Jusqu'à la modification, faite conformément à l'article 41 de la *Loi constitutionnelle de 1982*, de toute disposition de la Constitution du Canada relative au Sénat, les personnes nommées aux sièges vacants au Sénat sont choisies parmi celles qui ont été proposées par le gouvernement de la province à représenter et agréées par le Conseil privé de la Reine pour le Canada.»

3. La même loi est modifiée par insertion, après l'article 95, de ce qui suit :

*«Accords relatifs à l'immigration et aux aubains*

Engagement

95A. Sur demande du gouvernement d'une province, le gouvernement du Canada négocie avec lui en vue de conclure, en matière d'immigration ou d'admission temporaire des aubains dans la province, un accord adapté aux besoins et à la situation particulière de celle-ci.

Accords

95B. (1) Tout accord conclu entre le Canada et une province en matière d'immigration ou d'admission temporaire des aubains dans la province a, une fois faite la déclaration visée au paragraphe 95C(1), force de loi et a dès lors effet indépendamment tant du point 25 de l'article 91 que de l'article 95.



Restriction	(2) L'accord ayant ainsi force de loi n'a d'effet que dans la mesure de sa compatibilité avec les dispositions des lois du Parlement du Canada qui fixent des normes et objectifs nationaux relatifs à l'immigration et aux aubains, notamment en ce qui concerne l'établissement des catégories générales d'immigrants, les niveaux d'immigration au Canada et la détermination des catégories de personnes inadmissibles au Canada.
Application de la Charte	(3) La <i>Charte canadienne des droits et libertés</i> s'applique aux accords ayant ainsi force de loi et à toute mesure prise sous leur régime par le Parlement ou le gouvernement du Canada ou par la législature ou le gouvernement d'une province.
Proclamation relative aux accords	<b>95C.</b> (1) La déclaration portant qu'un accord visé au paragraphe 95B(1) a force de loi se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord.
Modification des accords	<p>(2) La modification d'un accord visé au paragraphe 95B(1) se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée :</p> <p><i>a)</i> soit par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord;</p> <p><i>b)</i> soit selon les modalités prévues dans l'accord même.</p>
Application des articles 46 à 48 de la <i>Loi constitutionnelle de 1982</i>	<b>95D.</b> Les articles 46 à 48 de la <i>Loi constitutionnelle de 1982</i> s'appliquent, avec les adaptations nécessaires, à toute déclaration faite aux termes du paragraphe 95C(1), à toute modification d'un accord faite aux termes du paragraphe 95C(2) ou à toute modification faite aux termes de l'article 95E.
Modification des articles 95A à 95D ou du présent article	<p><b>95E.</b> Les articles 95A à 95D ou le présent article peuvent être modifiés conformément au paragraphe 38(1) de la <i>Loi constitutionnelle de 1982</i>, à condition que la modification soit autorisée par des résolutions des assemblées législatives de toutes les provinces qui sont, à l'époque de celle-ci, parties à un accord ayant force de loi aux termes du paragraphe 95B(1).»</p> <p><b>4.</b> La même loi est modifiée par insertion, avant l'article 96, de ce qui suit :</p> <p style="text-align: center;"><i>«Dispositions générales»</i></p> <p><b>5.</b> La même loi est modifiée par insertion, avant l'article 101, de ce qui suit :</p>

*«Tribunaux créés par le Parlement du Canada»*

6. La même loi est modifiée par insertion, après l'article 101, de ce qui suit :

*«Cour suprême du Canada*

Maintien de  
la Cour  
suprême  
du Canada

**101A.** (1) La cour qui existe sous le nom de Cour suprême du Canada est maintenue à titre de cour générale d'appel pour le Canada et de cour additionnelle propre à améliorer l'application des lois du Canada. Elle conserve ses attributions de cour supérieure d'archives.

Composition

(2) La Cour suprême du Canada se compose du juge en chef, appelé juge en chef du Canada, et de huit autres juges, que nomme le gouverneur général en conseil par lettres patentes sous le grand sceau.

Conditions  
de  
nomination

**101B.** (1) Les juges sont choisis parmi les personnes qui, après avoir été admises au barreau d'une province ou d'un territoire, ont, pendant au moins dix ans au total, été juges de n'importe quel tribunal du pays ou inscrites au barreau de n'importe quelle province ou de n'importe quel territoire.

Québec :  
trois juges

(2) Au moins trois des juges sont choisis parmi les personnes qui, après avoir été admises au barreau du Québec, ont, pendant au moins dix ans au total, été inscrites à ce barreau ou juges d'un tribunal du Québec ou d'un tribunal créé par le Parlement du Canada.

Propositions  
de  
nomination

**101C.** (1) En cas de vacance à la Cour suprême du Canada, le gouvernement de chaque province peut proposer au ministre fédéral de la Justice, pour la charge devenue vacante, des personnes admises au barreau de cette province et remplissant les conditions visées à l'article 101B.

Nomination  
parmi les  
personnes  
proposées

(2) Le gouverneur général en conseil procède aux nominations parmi les personnes proposées et qui agréent au Conseil privé de la Reine pour le Canada; le présent paragraphe ne s'applique pas à la nomination du juge en chef dans les cas où il est choisi parmi les juges de la Cour suprême du Canada.

Nomination  
parmi les  
personnes  
proposées  
par le  
Québec

(3) Dans le cas de chacune de trois nominations à faire conformément au paragraphe 101B(2), le gouverneur général en conseil nomme une personne proposée par le gouvernement du Québec.

Nomination  
parmi les  
personnes  
proposées  
par les autres  
provinces

(4) Dans le cas de toute autre nomination, le gouverneur général en conseil nomme une personne proposée par le gouvernement d'une autre province que le Québec.

Inamovibilité,  
traitement,  
etc.

**101D.** Les articles 99 et 100 s'appliquent aux juges de la Cour suprême du Canada.

Rapport avec  
l'article 101

**101E.** (1) Sous réserve que ne soient pas adoptées, dans les matières visées à l'article 101, de dispositions incompatibles avec les articles 101A à 101D, ceux-ci n'ont pas pour effet de porter atteinte à la compétence législative conférée au Parlement du Canada en ces matières.

Renvois à la  
Cour  
suprême du  
Canada

(2) Il est entendu que l'article 101A n'a pas pour effet de porter atteinte à la compétence législative du Parlement du Canada en ce qui concerne le renvoi à la Cour suprême du Canada de questions de droit ou de fait, ou de toute autre question.»

**7.** La même loi est modifiée par insertion, après l'article 106, de ce qui suit :

Programmes  
cofinancés

«**106A.** (1) Le gouvernement du Canada fournit une juste compensation au gouvernement d'une province qui choisit de ne pas participer à un programme national cofinancé qu'il établit après l'entrée en vigueur du présent article dans un secteur de compétence exclusive provinciale, si la province applique un programme ou une mesure compatible avec les objectifs nationaux.

Non-élargis-  
sement des  
compétences  
législatives

(2) Le présent article n'élargit pas les compétences législatives du Parlement du Canada ou des législatures des provinces.»

**8.** La même loi est modifiée par insertion, après l'article 147, de ce qui suit :

#### «XII. — CONFÉRENCES SUR L'ÉCONOMIE ET SUR D'AUTRES QUESTIONS

Convocation

**148.** Le premier ministre du Canada convoque au moins une fois par an une conférence réunissant les premiers ministres provinciaux et lui-même et portant sur l'économie canadienne ainsi que sur toute autre question appropriée.

#### XIII. — MENTIONS

Présomption

**149.** Toute mention de la présente loi est réputée constituer également une mention de ses modifications.»

#### *Loi constitutionnelle de 1982*

**9.** Les articles 40 à 42 de la *Loi constitutionnelle de 1982* sont abrogés et remplacés par ce qui suit :

Compen-  
sation

«40. Le Canada fournit une juste compensation aux provinces auxquelles ne s'applique pas une modification faite conformément au paragraphe 38(1) et relative à un transfert de compétences législatives provinciales au Parlement.

Consente-  
ment  
unanime

41. Toute modification de la Constitution du Canada portant sur les questions suivantes se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de chaque province :

a) la charge de Reine, celle de gouverneur général et celle de lieutenant-gouverneur;

b) les pouvoirs du Sénat et le mode de sélection des sénateurs;

c) le nombre des sénateurs par lesquels une province est habilitée à être représentée et les conditions de résidence qu'ils doivent remplir;

d) le droit d'une province d'avoir à la Chambre des communes un nombre de députés au moins égal à celui des sénateurs par lesquels elle était habilitée à être représentée le 17 avril 1982;

e) le principe de la représentation proportionnelle des provinces à la Chambre des communes prévu par la Constitution du Canada;

f) sous réserve de l'article 43, l'usage du français ou de l'anglais;

g) la Cour suprême du Canada;

h) le rattachement aux provinces existantes de tout ou partie des territoires;

i) par dérogation à toute autre loi ou usage, la création de provinces;

j) la modification de la présente partie.»

10. L'article 44 de la même loi est abrogé et remplacé par ce qui suit :

Modification  
par le  
Parlement

«44. Sous réserve de l'article 41, le Parlement a compétence exclusive pour modifier les dispositions de la Constitution du Canada relatives au pouvoir exécutif fédéral, au Sénat ou à la Chambre des communes.»



**11.** Le paragraphe 46(1) de la même loi est abrogé et remplacé par ce qui suit :

Initiative des  
procédures

«**46.** (1) L'initiative des procédures de modification visées aux articles 38, 41 et 43 appartient au Sénat, à la Chambre des communes ou à une assemblée législative.»

**12.** Le paragraphe 47(1) de la même loi est abrogé et remplacé par ce qui suit :

Modification  
sans  
résolution du  
Sénat

«**47.**(1) Dans les cas visés à l'article 38, 41 ou 43, il peut être passé outre au défaut d'autorisation du Sénat si celui-ci n'a pas adopté de résolution dans un délai de cent quatre-vingts jours suivant l'adoption de celle de la Chambre des communes et si cette dernière, après l'expiration du délai, adopte une nouvelle résolution dans le même sens.»

**13.** La partie VI de la même loi est abrogée et remplacée par ce qui suit :

#### «PARTIE VI

#### CONFÉRENCES CONSTITUTIONNELLES

Convocation

**50.** (1) Le premier ministre du Canada convoque au moins une fois par an une conférence constitutionnelle réunissant les premiers ministres provinciaux et lui-même, la première devant avoir lieu en 1988.

Ordre du  
jour

(2) Sont placées à l'ordre du jour de ces conférences les questions suivantes :

*a)* la réforme du Sénat, y compris son rôle et ses fonctions, ses pouvoirs, le mode de sélection des sénateurs et la représentation au Sénat;

*b)* les rôles et les responsabilités en matière de pêches;

*c)* toutes autres questions dont il est convenu.»

**14.** Le paragraphe 52(2) de la même loi est modifié par adjonction de ce qui suit :

«*d)* les autres modifications qui lui sont apportées.»

**15.** L'article 61 de la même loi est abrogé et remplacé par ce qui suit :

Mentions

«**61.** Toute mention de la *Loi constitutionnelle de 1982* ou des *Lois constitutionnelles de 1867 à 1982* est réputée constituer également une mention de leurs modifications.»

### Dispositions générales

Patrimoine  
multiculturel  
et peuples  
autochtones

16. L'article 2 de la *Loi constitutionnelle de 1867* n'a pas pour effet de porter atteinte aux articles 25 ou 27 de la *Charte canadienne des droits et libertés*, à l'article 35 de la *Loi constitutionnelle de 1982* ou au point 24 de l'article 91 de la *Loi constitutionnelle de 1867*.

### TITRE

Titre

17. Titre de la présente modification : *Modification constitutionnelle de 1987. Le 24 novembre 1987.*

10. *Mr Conway*—Resolution—That the 1987-1988 Estimates and Supplementary Estimates which have not yet been passed by the committees and reported to the House be deemed to be passed and reported to the House, and that the 1987-1988 Estimates and Supplementary Estimates be deemed to be concurred in. *April 7, 1988.*
11. *Mr Nixon*—Resolution—That this House approves in general the Budgetary Policy of the Government. *April 19, 1988.*

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### MOTION OF NON-CONFIDENCE UNDER STANDING ORDER 70 (a)

1. *Mr Rae (York South)*—Notice—That the Government lacks the confidence of this House because of its abject failure to provide decent, affordable housing for the working families of Ontario—in particular, through its failure to increase the supply of affordable housing; through its failure to protect the existing housing stock; and through its failure to protect tenants. *April 11, 1988.*
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## PRIVATE MEMBERS' MOTIONS

1. *Ms Bryden—Resolution—That, in the opinion of this House, recognizing that huge rent increases year after year are constituting a threat to the competitiveness and survival of retail business in commercial strips serving residential neighbourhoods, the Government of Ontario should introduce legislation as soon as possible to regulate the rents for such business establishments in order to provide those businesses with protection from gouging landlords comparable to the protection given to tenants of residential rental premises under the Residential Rent Regulation Act, 1986. November 10, 1987.*
2. *Ms Bryden—Resolution—That, in the opinion of this House, recognizing that part-time workers in both the public and private sector are discriminated against by the denial of many benefits and rights provided to other workers in the same establishment, a charter of rights for part-time workers should be added to both the Employment Standards Act and the Labour Relations Act to provide pro rata benefits and collective bargaining rights to such workers and that they be made eligible for severance pay and retraining and readjustment programs provided for other workers displaced by technological change in the same establishment. November 10, 1987.*
4. *Mr Morin-Strom—Resolution—That, in the opinion of this House, recognizing the importance of the TransCanada Highway to our nation and to our province, the government of Ontario should upgrade the TransCanada Highway to a modern four-lane system through Northern Ontario to the Manitoba border, and that the government should immediately commence design and schedule construction to ensure completion across Northern Ontario by 1997. November 18, 1987.*
9. *Mr Wildman—Resolution—That, in the opinion of this House, the plans of the Canada Post Corporation to close, amalgamate or franchise many rural post offices and to eliminate or tender rural route services in order to reduce its operating deficit would reduce essential mail services from many rural Ontario communities, causing severe hardship and inconvenience to rural Ontarians, particularly the elderly and disabled; the Government of Ontario should urge the Government of Canada to halt, immediately, these plans to cut service and maintain and improve rural postal services across Ontario. December 8, 1987.*
10. *Mr Swart—Resolution—That, in the opinion of this House, recognizing the particular desirability of the protection of consumers of bereavement services from the business practices associated with corporate concentration and the desirability of fostering and encouraging the small business sector in Ontario, the Government of Ontario should introduce legislation as soon as possible to further regulate the bereavement industry to ensure the following:*
  1. That a Board of Bereavement Services, composed of representatives of the public and the various sectors and sub-sectors of the bereavement services industry, be constituted to make recommendations to

the Minister of Consumer and Commercial Relations and the Minister of Health on further reforms of the regulation of bereavement services and to act as the licensing and regulating body for funeral directors, funeral service establishments, cemeterians, cemeteries, monument builders and monument building firms;

2. That the bereavement services industry be divided into three sectors, consisting of cemeteries, funeral services and monument builders and that no proprietor, partnership or corporate entity be allowed to offer services in more than one of these sectors and that any operator who currently offers services in more than one of the sectors be allowed five years to divest itself of operations in more than one sector and where one corporate entity owns more than twenty-five per cent of the shares in other corporate entities operating in more than one of the sectors, relations between such entities shall be at arm's length;
3. That funeral service establishments may act as agents for monument building firms in rural areas where the Board of Bereavement Services establishes that a consumer need exists and where there is no monument building firm willing to establish in such rural areas;
4. That the ownership of any proprietorship, partnership or corporate entity involved in the provision of bereavement services must be fully disclosed to the public, including the names of all shareholders in a corporate entity who hold more than ten per cent of the shares in such entity;
5. That no funeral service facility be allowed on the grounds of, or adjoining the grounds of, a cemetery;
6. That for the purpose of provincial business and corporate income taxation, as well as for the purpose of municipal property taxation, cemeteries be categorized as either non-profit or commercial and that those categorized as non-profit be exempt from income and property tax and those categorized as commercial be subject to income taxation and to property taxation on all lands less each grave space occupied by a deceased person;
7. That funeral services be sold only by a licensed funeral director through a licensed funeral service establishment, cemetery services be sold only by a licensed cemeterian through a licensed cemetery and upright monument services be sold only by a licensed monument builder through a licensed monument building firm; and
8. That there be no telephone or door-to-door solicitation of funeral, cemetery or monument services. *December 14, 1987.*
12. *Mr Runciman*—Resolution—That, in the opinion of this House, recognizing that there have been twenty-eight bank branch closures across Ontario between 1982 and 1986 which have left many small communities without adequate banking services, the Government of Ontario should review all requests for satellite banking services and establish Province of Ontario



Savings Offices in those areas where population levels demonstrate a need for them and where financial benefit can be determined. *December 15, 1987.*

13. *Mr Sterling*—Resolution—That, in the opinion of this House, recognizing the devastating and lethal impact of tobacco on the health of our citizenry, and recognizing the tobacco industry's attempt to advertise in a manner designed to undermine the health warnings of its hazardous product, the Government of Ontario should pursue every opportunity to express its support for the Federal Government's initiative, Bill C-51, the *Tobacco Products Control Act*, An Act to prohibit the advertising and promotion and respecting the labelling and monitoring of tobacco products. *December 15, 1987.*
19. *Mr Swart*—Resolution—That, in the opinion of this House, recognizing the need for the expansion of hospital beds and related facilities in scores of communities across the province, and given the undesirability of using the regressive property tax system for funding such construction or renovation, the Lieutenant Governor-in-Council should amend Ontario Regulation 859 under the Public Hospitals Act which now limits provincial contributions to a ceiling of two thirds (five sixths on the North)—a ceiling seldom reached—to allow the provincial contribution to be 100% of the costs. *April 7, 1988.*
20. *Mr Cooke (Windsor-Riverside)*—Resolution—That, in the opinion of this House, recognizing that the scope and recommendations of the Task Force on Inflation Protection for Employment Pension Plans failed to meet the concerns of workers and most particularly retirees whose pensions have already been eroded by inflation but who will get nothing from these proposals, this Legislature strongly urges the Government of Ontario to:
  - introduce legislation to require indexation of all pensions with the same indexing formula applicable to current plan members, current pensioners and those entitled to a deferred pension.
  - place an immediate moratorium on the use of contribution holidays which are, in fact just another means of surplus withdrawals. *April 13, 1988.*
21. *Mr Carrothers*—Resolution—That, in the opinion of this House, recognizing that cancer continues to be a major source of fatality in Ontario and recognizing the need for extensive research, diagnosis and treatment, the Government of Ontario should support the development of a community based cancer clinic network. *April 14, 1988.*
22. *Mr Harris*—Resolution—That, in the opinion of this House, all future legislation which would establish an agency, board, commission or regulatory system or create new direct expenditures or tax expenditures must contain a sunset provision which would, after a specified period of time, require mandatory review of the original legislation by a committee of this House. The Committee would be mandated to report to this House on the impact of the legislation, the degree to which the program and policy objectives

have been met and make recommendations as to whether the legislation, regulations, program or agency should be continued, terminated or amended. Further, this House is of the opinion that all existing legislation which has established an agency, board, commission or regulatory system or created new direct expenditures or tax expenditures should, over the next five years be reviewed by a committee of this House with the mandate indicated above. *April 14, 1988.*

23. *Mr Runciman*—Resolution—That, in the opinion of this House, the Premier of Ontario should institute a system whereby any supplementary appropriations approved by Management Board of Cabinet are referred within 15 days of approval to the Standing Committee on Public Accounts for its consideration. *April 18, 1988.*
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## QUESTIONS

*(Questions are to appear on the day after they are tabled and on every subsequent day in the week they are tabled and then subsequently only on each Monday until an Answer (other than an Interim Answer) is tabled. A question tabled on a Thursday will appear on each day of the following week.)*

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103. *Mrs Cunningham*—Enquiry of the Ministry—Would the Minister of Skills Development provide a complete financial report on the Summer Experience '88 program including a breakdown of all administrative and advertising costs including, how many Experience '88 guide books were printed, at what cost, who they were distributed to and when. *April 14, 1988.*
  
104. *Mrs Cunningham*—Enquiry of the Ministry—Would the Minister of Skills Development provide a detailed report on the number of applications received under the Summer Experience '88 program as of the close of applications on April 8, 1988. *April 14, 1988.*
  
105. *Mrs Cunningham*—Enquiry of the Ministry—Would the Minister of Skills Development provide a complete financial report on the Ontario Summer Employment Program including; how many guideline booklets were printed, at what cost, who they were distributed to and when. *April 14, 1988.*
  
106. *Mrs Cunningham*—Enquiry of the Ministry—Would the Minister of Skills Development provide a complete financial report on the "Work, Training & Business Opportunities for young people" folder delivered to Members offices during the week of April 4, 1988 including a breakdown of all production and administrative costs, how many folders were printed, at what cost, who they were distributed to and when. *April 14, 1988.*
  
107. *Mr McLean*—Enquiry of the Ministry—Would the Minister of Natural Resources provide a list of all Ministers and their staff, other Ministry staff, as well as their families and friends, who have used government-owned, or leased, aircraft during the period August 1, 1987 to December 31, 1987, inclusive. *April 19, 1988.*
  
108. *Mr Runciman*—Enquiry of the Ministry—Will the Minister of Health inform the House if the article in the April 8, 1988, edition of the Ottawa Citizen indicating that the Royal Ottawa Hospital is overcrowded and is forced to turn away many needing psychiatric help, was accurate or not and if not, why not, and if overcrowding is occurring at the Royal Ottawa, will the Minister explain why the Brockville Psychiatric Hospital with 112 vacant beds as of April 15, 1988, is not being utilized to relieve the Ottawa situation. *April 20, 1988.*
  
109. *Mr Runciman*—Enquiry of the Ministry—Will the Minister of Health indicate whether or not she supports having labour representation on psychiatric hospital community advisory boards and, if not, why not. If yes, will the Minister ensure that labour representatives are appointed to *all* community advisory boards as soon as possible. *April 20, 1988.*

110. *Mr Runciman*—Enquiry of the Ministry—Will the Minister of Health indicate if any expansion of forensic facilities, perhaps a minimum security facility, is being contemplated for the Brockville Psychiatric Hospital. If yes, when will such expansion take place. *April 20, 1988.*
111. *Mr Runciman*—Enquiry of the Ministry—Will the Minister of Health inform the House if she is prepared to ensure the involvement of labour representatives in all future psychiatric hospital accreditation programs. If not, why not. *April 20, 1988.*
112. *Mr Runciman*—Enquiry of the Ministry—Will the Minister of Health inform the House whether or not she feels it is appropriate that organized labour does not have a representative on the Lanark-Leeds-Grenville District Health Council. If yes, why, and, if not, will she move as soon as possible to remedy the situation. *April 20, 1988.*
113. *Mr Runciman*—Enquiry of the Ministry—Will the Minister of Health advise the House if OPSEU will be represented on your internal study team reviewing the day pass release program for psychiatric forensic patients, and the St. Thomas incident, that resulted in the assault on a 14 year-old girl. If not, why not. *April 20, 1988.*
114. *Mr Runciman*—Enquiry of the Ministry—Will the Minister of Health indicate the number of patient actions that have occurred at the Brockville Psychiatric Hospital since 1984. *April 20, 1988.*
115. *Mr Runciman*—Enquiry of the Ministry—Will the Minister of Health indicate the number of open versus closed job competitions at the Brockville Psychiatric Hospital since the introduction of "Strategies for Renewal". *April 20, 1988.*
116. *Mr Runciman*—Enquiry of the Ministry—Will the Minister of Health indicate the number of grievances that have been filed at the Brockville Psychiatric Hospital since 1984 and how this compares with other psychiatric facilities in the Province. *April 20, 1988.*
117. *Mrs Grier*—Enquiry of the Ministry—Would the Minister of Municipal Affairs provide reasons for his decision, given in a letter from him to interested parties, dated February 18, 1988, to vary the recommendation of a hearing officer, appointed under the provisions of Niagara Escarpment Planning and Development Act, on a development permit to allow the demolition and re-construction of a bridge on the 4th Line Road, Township of Mono, Dufferin County, located in the "Escarpment Natural Area" designation of the Niagara Escarpment Plan. *April 20, 1988.*
118. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Housing provide a copy of the log book filed at the Toronto district office of the Central Region, such log book to list every landlord application filed under section 73 or section 74 of the *Residential Rent Regulation Act*, and to detail the following information for each application: the application number, the street name, the street number, the unit numbers (in the case of individual unit applications), the date the application was received by the



Toronto district office, and the requested increase reflected as a percentage of the total rent. *April 20, 1988.*

119. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Housing state whether or not her Ministry has amended the forms used to inform tenants of orders for rent increases made under section 73 or section 74 of the *Residential Rent Regulation Act*, so that those forms now reflect the increases awarded not only in dollars but also as percentages of the total rent, and, if the forms have been amended in this fashion, would the Minister provide copies thereof. *April 20, 1988.*
120. *Mr Runciman*—Enquiry of the Ministry—Will the Minister of Government Services outline why the bid by Microtel to supply a new telephone system for the Brockville Psychiatric Hospital was unsuccessful. Is the Minister aware that Microtel offered to contribute, free of charge, the switch for this system. Will the Minister confirm that the administrator for the Brockville Psychiatric Hospital was part of the evaluation team that recommended the Omni system. *April 20, 1988.*
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## PRIVATE MEMBERS' BUSINESS TO BE DEBATED

*(Precedence in accordance with the Standing Order 71 (d).)*

Ballot Item No. 15—*To be debated on Thursday, April 21, 1988.*

*Mr Harris*—Resolution—That, in the opinion of this House, all future legislation which would establish an agency, board, commission or regulatory system or create new direct expenditures or tax expenditures must contain a sunset provision which would, after a specified period of time, require mandatory review of the original legislation by a committee of this House. The Committee would be mandated to report to this House on the impact of the legislation, the degree to which the program and policy objectives have been met and make recommendations as to whether the legislation, regulations, program or agency should be continued, terminated or amended. Further, this House is of the opinion that all existing legislation which has established an agency, board, commission or regulatory system or created new direct expenditures or tax expenditures should, over the next five years be reviewed by a committee of this House with the mandate indicated above.

Ballot Item No. 16—*To be debated on Thursday, April 21, 1988.*

*Mr Carrothers*—Resolution—That, in the opinion of this House, recognizing that cancer continues to be a major source of fatality in Ontario and recognizing the need for extensive research, diagnosis and treatment, the Government of Ontario should support the development of a community based cancer clinic network.

Ballot Item No. 17—*To be debated on Thursday, April 28, 1988.*

*Mr Cooke* (Windsor-Riverside)—Resolution—That, in the opinion of this House, recognizing that the scope and recommendations of the Task Force on Inflation Protection for Employment Pension Plans failed to meet the concerns of workers and most particularly retirees whose pensions have already been eroded by inflation but who will get nothing from these proposals, this Legislature strongly urges the Government of Ontario to:

- introduce legislation to require indexation of all pensions with the same indexing formula applicable to current plan members, current pensioners and those entitled to a deferred pension.
  - place an immediate moratorium on the use of contribution holidays which are, in fact just another means of surplus withdrawals.
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## BILLS REFERRED TO STANDING COMMITTEES

### STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Bill Pr1, An Act respecting Canada Christian College and School of Graduate Theological Studies. *Mr Allen. (Referred November 18, 1987.)*

Bill Pr2, An Act to revive Big Cedar Association. *Mr Owen. (Referred February 8, 1988.)*

Bill Pr4, An Act respecting The Ottawa Civil Service Recreational Association. *Mr Chiarelli. (Referred November 16, 1987.)*

Bill Pr5, An Act respecting The Chartered Institute of Marketing Management of Ontario. *Ms Hart. (Referred February 8, 1988.)*

Bill Pr7, An Act respecting the Driving School Association of Ontario. *Mr Ferraro. (Referred November 9, 1987.)*

Bill Pr11, An Act to revive L F P Management Limited. *Mrs Fawcett. (Referred April 12, 1988.)*

Bill Pr16, An Act respecting the City of Toronto. *Mr Kanter. (Referred December 8, 1987.)*

Bill Pr19, An Act respecting the City of Sudbury. *Mr Campbell. (Referred April 12, 1988.)*

Bill Pr24, An Act respecting the Hamilton Civic Hospitals. *Ms Collins. (Referred December 7, 1987.)*

Bill Pr25, An Act respecting Kingsway General Insurance Company. *Mr Cousens. (Referred December 9, 1987.)*

Bill Pr27, An Act respecting the Ontario Municipal Management Institute. *Mr Campbell. (Referred December 22, 1987.)*

Bill Pr28, An Act to revive Mid-Continent Bond Corporation, Limited. *Mr Ray (Windsor-Walkerville). (Referred April 6, 1988.)*

Bill Pr29, An Act respecting The United Church of Canada and The Canada Conference The Evangelical United Brethren Church. *Mr Epp. (Referred February 8, 1988.)*

Bill Pr30, An Act respecting The General Hospital of Port Arthur. *Mr Kozyra. (Referred December 3, 1987.)*

Bill Pr34, An Act to revive Machin Mines Limited. *Mr Kanter. (Referred February 9, 1988.)*

Bill Pr37, An Act respecting the University of Western Ontario. *Mr Reycraft. (Referred December 22, 1987.)*

Bill Pr38, An Act to revive Prow Yellowknife Gold Mines Ltd. *Mr Kanter. (Referred February 9, 1988.)*

Bill Pr40, An Act respecting the City of Trenton. *Mrs Fawcett. (Referred April 12, 1988.)*

Bill Pr49, An Act to revive Lebon Gold Mines Limited. *Mr Kanter. (Referred February 8, 1988.)*

Bill Pr56, An Act respecting the City of Toronto. *Mr Kanter. (Referred November 30, 1987.)*

Bill Pr67, An Act respecting the City of Hamilton. *Mr Charlton. (Referred December 3, 1987.)*

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## STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Bill 13, An Act respecting Environmental Rights in Ontario. *Mrs Grier. (Referred December 10, 1987.)*

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## STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Bill 50, An Act to provide for Community Mental Health Services. *Mr Reville. (Referred December 17, 1987.)*

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## MATTERS REFERRED TO SELECT COMMITTEES

### SELECT COMMITTEE ON EDUCATION

Consider and report on the role of the formal elementary and secondary school system in the successful transition of young students to adulthood in Ontario. *(Referred by Order of the House on February 11, 1988.)*

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### SELECT COMMITTEE ON ENERGY

Consider and report on Ontario Hydro Affairs. *(Referred by Order of the House on February 11, 1988.)*

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## SELECT COMMITTEE ON CONSTITUTIONAL REFORM

Consider and report on the 1987 Constitutional Accord (Sessional Paper No. 74), and matters related thereto. (*Referred by Order of the House on November 30, 1987.*)

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## MATTERS REFERRED TO STANDING COMMITTEES

(*In accordance with the Standing Orders, statutory annual reports of each ministry and of all agencies, boards and commissions reporting to each Minister for the immediate past reporting period stand permanently referred to the appropriate Standing Committees.*)

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## STANDING COMMITTEE ON FINANCE AND ECONOMIC AFFAIRS

Consider and report on the Canada-U.S. Free Trade Agreement (Sessional Paper Number 108). (*Referred by Order of the House on January 7, 1988.*)

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## STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Consider and report on Safety in Ontario Mines. (*Referred by Order of the House on January 7, 1988.*)

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## COMMITTEE MEETINGS

The Standing Committee on Finance and Economic Affairs will meet to consider the Free Trade Agreement as follows:

Thursday, 21 April	10.00 a.m.	Room No. 1
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The Standing Committee on the Ombudsman will meet to consider the 1986-1987 Annual Report of the Ombudsman as follows:

Today	10.00 a.m.	Room No. 151
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The Standing Committee on Public Accounts will meet to review the 1987 Annual Report of the Provincial Auditor as follows:

Thursday, 21 April	10.00 a.m. <i>in camera</i>	Room No. 151
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The Standing Committee on Regulations and Private Bills will meet to consider Bill Pr37, An Act respecting the University of Western Ontario; Bill Pr67, An Act respecting the City of Hamilton; Bill Pr5, An Act respecting The Chartered Institute of Marketing Management of Ontario; Bill Pr27, An Act respecting the Ontario Municipal Management Institute; Bill Pr29, An Act respecting The United Church of Canada and The Canada Conference The Evangelical United Brethren Church; and Bill Pr7, An Act respecting the Driving School Association of Ontario, as follows:

Today	10.00 a.m.	Committee Room No. 1
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## ESTIMATES

TOTAL HOURS FOR CONSIDERATION OF  
ALL ESTIMATES ..... 381 hrs., 30 mins.

### IN COMMITTEE OF SUPPLY

(Estimates to be taken in order shown)

1. Lieutenant Governor,  
Premier and Cabinet Office ..... 7 hrs., 30 mins.
2. Government Services ..... 7 hrs., 30 mins.  
(Includes supplementaries, Number 2)‡
3. Intergovernmental Affairs ..... 7 hrs., 30 mins.
4. Management Board of Cabinet ..... 7 hrs., 30 mins.
5. Revenue ..... 7 hrs., 30 mins.  
(Includes supplementaries, Number 1)†
6. Francophone Affairs ..... 7 hrs., 30 mins.

### IN STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

(Estimates to be taken in order shown)

1. Treasury and Economics ..... (Completed Tuesday, December 8, 1987)
2. Energy ..... 5 hrs., 54 mins.  
(Includes supplementaries, Number 1)†  
(Adjourned at Vote 1301, Item 1)
3. Attorney General ..... 7 hrs., 30 mins.  
(Includes supplementaries, Number 1)†  
(Includes supplementaries, Number 2)‡
4. Consumer and Commercial Relations ..... 7 hrs., 30 mins.  
(Includes supplementaries, Number 1)†
5. Correctional Services ..... 7 hrs., 30 mins.
6. Financial Institutions ..... 7 hrs., 30 mins.
7. Office Responsible for  
Native Affairs ..... 7 hrs., 30 mins.
8. Solicitor General ..... 7 hrs., 30 mins.

†Supplementary Estimates Number 1 Tabled December 17, 1987.

‡Supplementary Estimates Number 2 Tabled February 9, 1988.

## IN STANDING COMMITTEE ON GENERAL GOVERNMENT

(Estimates to be taken in order shown)

1. Labour ..... 3 hrs., 06 mins.  
(Adjourned at Vote 2101, Item 1)
2. Northern Development ..... 7 hrs., 30 mins.
3. Office Responsible for  
Women's Issues ..... 7 hrs., 30 mins.

## IN STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

(Estimates to be taken in order shown)

1. Office of the Assembly ..... 5 hrs.  
(Includes supplementaries, Number 1)†
2. Office of the  
Chief Election Officer ..... 5 hrs.

## IN STANDING COMMITTEE ON THE OMBUDSMAN

(Estimates to be taken in order shown)

1. Office of the Ombudsman ..... 5 hrs.  
(Includes supplementaries, Number 1)†

## IN STANDING COMMITTEE ON PUBLIC ACCOUNTS

(Estimates to be taken in order shown)

1. Office of the Provincial Auditor .. (Completed Thursday, December 17, 1987)

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†Supplementary Estimates Number 1 Tabled December 17, 1987.



## IN STANDING COMMITTEE ON RESOURCES DEVELOPMENT

(Estimates to be taken in order shown)

1. Industry, Trade and Technology . (Completed Thursday, December 10, 1987)
2. Housing ..... (Completed Thursday, December 17, 1987)
3. Environment ..... 7 hrs., 30 mins.  
(Includes supplementaries, Number 1)†
4. Agriculture and Food ..... 7 hrs., 30 mins.  
(Includes supplementaries, Number 1)†
5. Mines ..... 7 hrs., 30 mins.
6. Municipal Affairs ..... 7 hrs., 30 mins.  
(Includes supplementaries, Number 1)†  
(Includes supplementaries, Number 2)‡
7. Natural Resources ..... 7 hrs., 30 mins.  
(Includes supplementaries, Number 1)†
8. Tourism and Recreation ..... 7 hrs., 30 mins.
9. Transportation ..... 7 hrs., 30 mins.  
(Includes supplementaries, Number 1)†
10. Industry, Trade and Technology ..... —  
(Supplementaries only, Number 2)‡
11. Housing ..... —  
(Supplementaries only, Number 2)‡

†Supplementary Estimates Number 1 Tabled December 17, 1987.

‡Supplementary Estimates Number 2 Tabled February 9, 1988.

## IN STANDING COMMITTEE ON SOCIAL DEVELOPMENT

(Estimates to be taken in order shown)

1. Skills Development ..... (Completed Thursday, December 10, 1987)
2. Office for Disabled Persons ..... (Completed Thursday, December 17, 1987)
3. Education ..... 7 hrs., 30 mins.  
(Includes supplementaries, Number 2)‡
4. Office Responsible for  
    Senior Citizens' Affairs ..... 7 hrs., 30 mins.
5. Citizenship ..... 7 hrs., 30 mins.
6. Colleges and Universities ..... 7 hrs., 30 mins.  
(Includes supplementaries, Number 1)†
7. Community and Social Services ..... 7 hrs., 30 mins.  
(Includes supplementaries, Number 1)†  
(Includes supplementaries, Number 2)‡
8. Culture and Communications ..... 7 hrs., 30 mins.
9. Health ..... 7 hrs., 30 mins.  
(Includes supplementaries, Number 1)†  
(Includes supplementaries, Number 2)‡
10. Skills Development ..... —  
(Supplementaries only, Number 1)†
11. Office for Disabled Persons ..... —  
(Supplementaries only, Number 1)†

†Supplementary Estimates Number 1 Tabled December 17, 1987.

‡Supplementary Estimates Number 2 Tabled February 9, 1988.

CARON  
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Government  
Publications

No. 50

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# Orders and Notices

Legislative Assembly  
of the Province of Ontario

**1st Session, 34th Parliament**  
Thursday, April 21, 1988

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## GOVERNMENT BILLS AND ORDERS

1. *Second Reading* Bill 4, An Act to amend the Metropolitan Toronto Police Force Complaints Act, 1984. *Mr Scott.* **PRINTED.**
2. *Second Reading* Bill 5, An Act to amend the Proceedings Against the Crown Act. *Mr Scott.* **PRINTED.**
3. *Second Reading* Bill 6, An Act to amend the Execution Act. *Mr Scott.* **PRINTED.**
4. *Second Reading* Bill 7, An Act to implement the Model Law on International Commercial Arbitration adopted by the United Nations Commission on International Trade Law. *Mr Scott.* **PRINTED.**

*Deuxième lecture* Projet de loi 7, Loi portant mise en application de la Loi type sur l'arbitrage commercial international adoptée par la Commission des Nations Unies pour le droit commercial international. *M. Scott.* **IMPRIMÉ.**

5. *Second Reading* Bill 9, An Act permitting Trustees and other Persons to dispose of South African investments. *Mr Scott.* **PRINTED.**

*Deuxième lecture* Projet de loi 9, Loi permettant aux fiduciaires et à d'autres personnes d'aliéner les placements sud-africains. *M. Scott.* **IMPRIMÉ.**

6. *Second Reading* Bill 15, An Act to amend the Barristers Act. *Mr Scott.* **PRINTED.**
7. *Second Reading* Bill 22, An Act to regulate Motor Vehicle Repairs. *Mr Wrye.* **PRINTED.**
8. *Second Reading* Bill 26, An Act to regulate Prepaid Services. *Mr Wrye.* **PRINTED.**
9. *Second Reading* Bill 27, An Act respecting Prearranged and Prepaid Funerals. *Mr Wrye.* **PRINTED.**
10. *Second Reading* Bill 28, An Act to amend the Funeral Services Act. *Mrs Caplan.* **PRINTED.**
11. *Second Reading* Bill 52, An Act to amend the Consumer Reporting Act. *Mr Wrye.* **PRINTED.**
12. *Second Reading* Bill 59, An Act to amend the Municipal Act and certain other Acts related to municipalities. *Mr Eakins.* **PRINTED.**
13. *Second Reading* Bill 66, An Act respecting Agricultural and Horticultural Organizations. *Mr Riddell.* **PRINTED.\***

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\*Lieutenant Governor's Recommendation received.



14. *Second Reading* Bill 68, An Act to promote the Conservation of Certain Land. *Mr Kerrio.* **PRINTED.**
15. *Second Reading* Bill 69, An Act to amend the Education Act. *Mr Ward.* **PRINTED.**
16. *Second Reading* Bill 70, An Act to amend the Education Act. *Mr Ward.* **PRINTED.**
17. *Second Reading* Bill 76, An Act to amend the Education Act and certain other Acts related to Education. *Mr Ward.* **PRINTED.**
18. *Second Reading* Bill 78, An Act respecting the Sale of Farm Implements. *Mr Riddell.* **PRINTED.**
19. *Second Reading* Bill 82, An Act respecting Energy Efficiency. *Mr Wong.* **PRINTED.**
20. *Second Reading* Bill 83, An Act respecting the Protection of Farm Practices. *Mr Riddell.* **PRINTED.**
21. *Second Reading* Bill 84, An Act to amend the Corporations Tax Act. *Mr Grandmaître.* **PRINTED.\***
22. *Second Reading* Bill 85, An Act to amend the Mining Tax Act. *Mr Grandmaître.* **PRINTED.\***
23. *Second Reading* Bill 86, An Act to amend the Highway Traffic Act. *Mr Fulton.* **PRINTED.**
24. *Second Reading* Bill 87, An Act to amend the Ontario Highway Transport Board Act. *Mr Fulton.* **PRINTED.**
25. *Second Reading* Bill 88, An Act to regulate Truck Transportation. *Mr Fulton.* **PRINTED.**
26. *Second Reading* Bill 90, An Act respecting the United Nations Convention on Contracts for the International Sale of Goods. *Mr Scott.* **PRINTED.**

*Deuxième lecture* Projet de loi 90, Loi concernant la Convention des Nations Unies sur les contrats de vente internationale de marchandises. *M. Scott.* **IMPRIMÉ.**

27. *Second Reading* Bill 93, An Act to revise the Justices of the Peace Act. *Mr Scott.* **PRINTED.**

*Deuxième lecture* Projet de loi 93, Loi portant révision de la Loi sur les juges de paix. *M. Scott.* **IMPRIMÉ.**

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\*Lieutenant Governor's Recommendation received.

28. *Second Reading* Bill 98, An Act to amend the Public Transportation and Highway Improvement Act. *Mr Fulton.* **PRINTED.**
  29. *Second Reading* Bill 99, An Act to amend the Ministry of Transportation and Communications Act. *Mr Fulton.* **PRINTED.**
  30. *Second Reading* Bill 100, An Act to amend the Education Act. *Mr Ward.* **PRINTED.**
  31. *Second Reading* Bill 101, An Act to repeal the Ministry of Transportation and Communications Creditors Payment Act. *Mr Fulton.* **PRINTED.**
  32. *Second Reading* Bill 102, An Act to amend the Construction Lien Act, 1983. *Mr Fulton.* **PRINTED.**
  33. *Second Reading* Bill 106, An Act to amend the Municipal Elections Act and the Municipal Act. *Mr Eakins.* **PRINTED.**
  34. *Second Reading* Bill 107, An Act to amend the Child and Family Services Act, 1984. *Mr Sweeney.* **PRINTED.**
  35. *Second Reading* Bill 108, An Act to amend the Rental Housing Protection Act, 1986. *Ms Hošek.* **PRINTED.**
  36. *Second Reading* Bill 109, An Act to establish a French-language School Board for The Regional Municipality of Ottawa-Carleton. *Mr Ward.* **PRINTED.**
- Deuxième lecture* Projet de loi 109, Loi portant création d'un Conseil scolaire de langue française pour la municipalité régionale d'Ottawa-Carleton. *M. Ward.* **IMPRIMÉ.**
37. *Resuming the Adjourned Debate* on the Motion for Adoption of the Recommendations contained in the Report of the Standing Committee on the Legislative Assembly on the Service of Process within the Precincts of the House.
  38. *Concurrence in Supply* for the Ministry of Treasury and Economics.
  39. *Concurrence in Supply* for the Ministry of Skills Development.
  40. *Concurrence in Supply* for the Ministry of Industry, Trade and Technology.
  41. *Concurrence in Supply* for the Office of the Provincial Auditor.
  42. *Concurrence in Supply* for the Office for Disabled Persons.
  43. *Concurrence in Supply* for the Ministry of Housing.
  44. *House in Committee of Supply.*
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## PRIVATE MEMBERS' PUBLIC BILLS AND ORDERS

### 45. *Committee of the Whole House:*

Bill 24, An Act to establish a Tourism Advisory Board. *Mr McLean.* **PRINTED.**

Bill 75, An Act to establish the Municipal Council Retirement Fund and to provide Retirement Allowances to Municipal Councillors. *Mr Cureatz.* **PRINTED.**

46. *Second Reading* Bill 3, An Act to protect the Public Health and Comfort and the Environment by Prohibiting and Controlling Smoking in Public Places. *Mr Sterling.* **PRINTED.**

47. *Second Reading* Bill 8, An Act to amend the Representation Act, 1986. *Mr Villeneuve.* **PRINTED.**

48. *Second Reading* Bill 10, An Act to amend the Election Act, 1984. *Mr Cousens.* **PRINTED.**

49. *Second Reading* Bill 12, An Act to ban Sunday racing and intertrack wagering at Greenwood Raceway and to change the composition and procedures of the Ontario Racing Commission. *Ms Bryden.* **PRINTED.**

50. *Second Reading* Bill 14, An Act to protect and enhance the Quality of Drinking Water in Ontario. *Mrs Grier.* **PRINTED.**

51. *Second Reading* Bill 16, An Act to encourage the Rehabilitation of Water Delivery Systems in Ontario. *Mrs Marland.* **PRINTED.**

52. *Second Reading* Bill 17, An Act to amend the Planning Act, 1983. *Mr Johnston (Scarborough West).* **PRINTED.**

53. *Second Reading* Bill 18, An Act to provide for the Conversion of Technologies and Skills used in the Nuclear Weapons Industry to Civilian Use. *Mr Johnston (Scarborough West).* **PRINTED.**

54. *Second Reading* Bill 23, An Act to proclaim 1995 as the 150th Anniversary of the arrival of Irish Immigrants in Canada. *Mr Pollock.* **PRINTED.**

55. *Second Reading* Bill 30, An Act to amend the Pension Benefits Act. *Mr Mackenzie.* **PRINTED.**

56. *Second Reading* Bill 31, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**

57. *Second Reading* Bill 32, An Act to provide for the Employment of Disabled Persons. *Mr Mackenzie.* **PRINTED.**

58. *Second Reading* Bill 33, An Act to amend the Education Act. *Mr Mackenzie.* **PRINTED.**

59. *Second Reading* Bill 34, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
60. *Second Reading* Bill 35, An Act to amend the Public Vehicles Act. *Mr Mackenzie.* **PRINTED.**
61. *Second Reading* Bill 36, An Act to provide Political Rights for Public Servants. *Mr Mackenzie.* **PRINTED.**
62. *Second Reading* Bill 37, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
63. *Second Reading* Bill 38, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
64. *Second Reading* Bill 39, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
65. *Second Reading* Bill 40, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
66. *Second Reading* Bill 41, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
67. *Second Reading* Bill 42, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
68. *Second Reading* Bill 43, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
69. *Second Reading* Bill 44, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
70. *Second Reading* Bill 45, An Act to amend the Children's Law Reform Act. *Mr Cousens.* **PRINTED.**
71. *Second Reading* Bill 47, An Act to amend the Highway Traffic Act. *Mrs Grier.* **PRINTED.**
72. *Second Reading* Bill 48, An Act to amend the Police Act. *Mr Eves.* **PRINTED.**
73. *Second Reading* Bill 49, An Act to relieve Persons from Liability in respect of voluntary Emergency Medical and First Aid Services. *Mr Haggerty.* **PRINTED.**
74. *Second Reading* Bill 53, An Act to provide for the Safety and Welfare of Crown Witnesses in Certain Criminal Proceedings. *Mr Runciman.* **PRINTED.**
75. *Second Reading* Bill 57, An Act to amend the Energy Act. *Mr Wildman.* **PRINTED.**



76. *Second Reading* Bill 60, An Act respecting the Sale of Farm Machinery and Equipment in Ontario. *Mr Wildman.* **PRINTED.**
77. *Second Reading* Bill 62, An Act to amend the Health Protection and Promotion Act, 1983. *Mr Henderson.* **PRINTED.**
78. *Second Reading* Bill 63, An Act to amend the Laboratory and Specimen Collection Centre Licensing Act. *Mr Henderson.* **PRINTED.**
79. *Second Reading* Bill 64, An Act to amend the Health Insurance Act. *Mr Henderson.* **PRINTED.**
80. *Second Reading* Bill 67, An Act to establish the East/Central Ontario Recreational Trails Commission. *Mr Pollock.* **PRINTED.**
81. *Second Reading* Bill 71, An Act to amend the Occupational Health and Safety Act. *Mr Rae (York South).* **PRINTED.**
82. *Second Reading* Bill 72, An Act respecting Simcoe Day. *Mr McLean.* **PRINTED.**
83. *Second Reading* Bill 73, An Act to amend the Public Service Superannuation Act. *Mr McLean.* **PRINTED.**
84. *Second Reading* Bill 74, An Act to amend the Legislative Assembly Retirement Allowances Act. *Mr McLean.* **PRINTED.**
85. *Second Reading* Bill 89, An Act requiring municipalities to establish Programs for the Recycling of Garbage. *Mrs Marland.* **PRINTED.**
86. *Second Reading* Bill 91, An Act to amend the Election Act. *Mr Sterling.* **PRINTED.**
87. *Second Reading* Bill 92, An Act to prevent unjust enrichment through the Financial Exploitation of Crime. *Mr Wildman.* **PRINTED.**
88. *Second Reading* Bill 94, An Act to prohibit Discrimination by Municipalities against Unrelated Persons Occupying Residential Property. *Mr Jackson.* **PRINTED.**
89. *Second Reading* Bill 95, An Act to amend the Children's Law Reform Act. *Mr Henderson.* **PRINTED.**
90. *Second Reading* Bill 96, An Act to amend the Highway Traffic Act. *Mr Wildman.* **PRINTED.**
91. *Second Reading* Bill 97, An Act to amend Human Rights Code, 1981. *Mr Reville.* **PRINTED.**
92. *Second Reading* Bill 103, An Act respecting Living Wills. *Mr Cureatz.* **PRINTED.**

93. *Second Reading* Bill 104, An Act to amend the Courts of Justice Act, 1984.  
*Mr Cureatz.* **PRINTED.**
94. *Second Reading* Bill 105, An Act to amend the Legislative Assembly Act.  
*Mr Cureatz.* **PRINTED.**
95. *Second Reading* Bill 110, An Act to declare Remembrance Day as a Holiday  
for Veterans. *Mr Henderson.* **PRINTED.**
96. *Second Reading* Bill 111, An Act to amend the Legislative Assembly Act.  
*Mr Swart.* **PRINTED.**
97. *Second Reading* Bill 112, An Act to amend the Legislative Assembly Act.  
*Mr Epp.* **PRINTED.**

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#### PRIVATE BILLS

98. *Second Reading* Bill Pr10, An Act respecting the Oshawa Public Utilities  
Commission. *Mr Breaugh.* **PRINTED.**
  99. *Second Reading* Bill Pr22, An Act respecting the City of Mississauga. *Mr  
Offer.* **REPRINTED.**
  100. *Second Reading* Bill Pr62, An Act respecting The Windsor Utilities  
Commission. *Mr Ray (Windsor-Walkerville).* **PRINTED.**
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## NOTICES

### GOVERNMENT MOTIONS

6. *Mr. Peterson*—Resolution—WHEREAS the *Constitution Act, 1982* came into force on April 17, 1982, following an agreement between Canada and all the provinces except Quebec;

AND WHEREAS the Government of Quebec has established a set of five proposals for constitutional change and has stated that amendments to give effect to those proposals would enable Quebec to resume a full role in the constitutional councils of Canada;

AND WHEREAS the amendment proposed in the schedule hereto sets out the basis on which Quebec's five constitutional proposals may be met;

AND WHEREAS the amendment proposed in the schedule hereto also recognizes the principle of the equality of all the provinces, provides new arrangements to foster greater harmony and cooperation between the Government of Canada and the governments of the provinces and requires that conferences be convened to consider important constitutional, economic and other issues;

AND WHEREAS certain portions of the amendment proposed in the schedule hereto relate to matters referred to in section 41 of the *Constitution Act, 1982*;

AND WHEREAS section 41 of the *Constitution Act, 1982* provides that an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and the House of Commons and of the legislative assembly of each province;

NOW THEREFORE the Legislative Assembly of Ontario resolves that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by Her Excellency the Governor General under the Great Seal of Canada in accordance with the schedule hereto.

### SCHEDULE

#### CONSTITUTION AMENDMENT, 1987

*Constitution Act, 1867*

1. The *Constitution Act, 1867* is amended by adding thereto, immediately after section 1 thereof, the following section:

Interpre-  
tation

“2. (1) The Constitution of Canada shall be interpreted in a manner consistent with

(a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present elsewhere

in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada; and

(b) the recognition that Quebec constitutes within Canada a distinct society.

Role of  
Parliament  
and  
legislatures

(2) The role of the Parliament of Canada and the provincial legislatures to preserve the fundamental characteristic of Canada referred to in paragraph (1)(a) is affirmed.

Role of  
legislature  
and  
Government  
of Quebec

(3) The role of the legislature and Government of Quebec to preserve and promote the distinct identity of Quebec referred to in paragraph (1)(b) is affirmed.

Rights of  
legislatures  
and  
governments  
preserved

(4) Nothing in this section derogates from the powers, rights or privileges of Parliament or the Government of Canada, or of the legislatures or governments of the provinces, including any powers, rights or privileges relating to language."

2. The said Act is further amended by adding thereto, immediately after section 24 thereof, the following section:

Names to be  
submitted

"25. (1) Where a vacancy occurs in the Senate, the Government of the province to which the vacancy relates may, in relation to that vacancy, submit to the Queen's Privy Council for Canada the names of persons who may be summoned to the Senate.

Choice of  
Senators  
from names  
submitted

(2) Until an amendment to the Constitution of Canada is made in relation to the Senate pursuant to section 41 of the *Constitution Act, 1982*, the person summoned to fill a vacancy in the Senate shall be chosen from among persons whose names have been submitted under subsection (1) by the government of the province to which the vacancy relates and must be acceptable to the Queen's Privy Council for Canada."

3. The said Act is further amended by adding thereto, immediately after section 95 thereof, the following heading and sections:

#### *"Agreements on Immigration and Aliens*

Commitment  
to negotiate

95A. The Government of Canada shall, at the request of the government of any province, negotiate with the government of that province for the purpose of concluding an agreement relating to immigration or the temporary admission of aliens into that province that is appropriate to the needs and circumstances of that province.



## Agreements

**95B.** (1) Any agreement concluded between Canada and a province in relation to immigration or the temporary admission of aliens into that province has the force of law from the time it is declared to do so in accordance with subsection 95C(1) and shall from that time have effect notwithstanding class 25 of section 91 or section 95.

## Limitation

(2) An agreement that has the force of law under subsection (1) shall have effect only so long and so far as it is not repugnant to any provision of an Act of the Parliament of Canada that sets national standards and objectives relating to immigration or aliens, including any provision that establishes general classes of immigrants or relates to levels of immigration for Canada or that prescribes classes of individuals who are inadmissible into Canada.

## Application of Charter

(3) The *Canadian Charter of Rights and Freedoms* applies in respect of any agreement that has the force of law under subsection (1) and in respect of anything done by the Parliament or Government of Canada, or the legislature or government of a province, pursuant to any such agreement.

## Proclamation relating to agreements

**95C.** (1) A declaration that an agreement referred to in subsection 95B(1) has the force of law may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement.

## Amendment of agreements

(2) An amendment to an agreement referred to in subsection 95B(1) may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized

(a) by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement; or

(b) in such other manner as is set out in the agreement.

Application of sections 46 to 48 of *Constitution Act, 1982*

**95D.** Sections 46 to 48 of the *Constitution Act, 1982* apply, with such modifications as the circumstances require, in respect of any declaration made pursuant to subsection 95C(1), any amendment to an agreement made pursuant to subsection 95C(2) or any amendment made pursuant to section 95E.

## Amendments to sections 95A to 95D or this section

**95E.** An amendment to sections 95A to 95D or this section may be made in accordance with the procedure set out in subsection 38(1) of the *Constitution Act, 1982*, but only if the amendment is authorized by resolutions of the legislative assemblies of all the provinces that are, at the time of the

amendment, parties to an agreement that has the force of law under subsection 95B(1).”

4. The said Act is further amended by adding thereto, immediately preceding section 96 thereof, the following heading:

*“General”*

5. The said Act is further amended by adding thereto, immediately preceding section 101 thereof, the following heading:

*“Courts Established by the Parliament of Canada”*

6. The said Act is further amended by adding thereto, immediately after section 101 thereof, the following heading and sections:

*“Supreme Court of Canada*

Supreme  
Court  
continued

**101A.** (1) The court existing under the name of the Supreme Court of Canada is hereby continued as the general court of appeal for Canada, and as an additional court for the better administration of the laws of Canada, and shall continue to be a superior court of record.

Constitution  
of court

(2) The Supreme Court of Canada shall consist of a chief justice to be called the Chief Justice of Canada and eight other judges, who shall be appointed by the Governor General in Council by letters patent under the Great Seal.

Who may be  
appointed  
judges

**101B.** (1) Any person may be appointed a judge of the Supreme Court of Canada who, after having been admitted to the bar of any province or territory, has, for a total of at least ten years, been a judge of any court in Canada or a member of the bar of any province or territory.

Three judges  
from Quebec

(2) At least three judges of the Supreme Court of Canada shall be appointed from among persons who, after having been admitted to the bar of Quebec, have, for a total of at least ten years, been judges of any court of Quebec or of any court established by the Parliament of Canada, or members of the bar of Quebec.

Names may  
be submitted

**101C.** (1) Where a vacancy occurs in the Supreme Court of Canada, the government of each province may, in relation to that vacancy, submit to the Minister of Justice of Canada the names of any of the persons who have been admitted to the bar of that province and are qualified under section 101B for appointment to that court.

Appointment  
from names  
submitted

(2) Where an appointment is made to the Supreme Court of Canada, the Governor General in Council shall, except

where the Chief Justice is appointed from among members of the Court, appoint a person whose name has been submitted under subsection (1) and who is acceptable to the Queen's Privy Council for Canada.

Appointment from Quebec

(3) Where an appointment is made in accordance with subsection (2) of any of the three judges necessary to meet the requirement set out in subsection 101B(2), the Governor General in Council shall appoint a person whose name has been submitted by the Government of Quebec.

Appointment from other provinces

(4) Where an appointment is made in accordance with subsection (2) otherwise than as required under subsection (3), the Governor General in Council shall appoint a person whose name has been submitted by the government of a province other than Quebec.

Tenure, salaries, etc. of judges

**101D.** Sections 99 and 100 apply in respect of the judges of the Supreme Court of Canada.

Relationship to section 101

**101E.** (1) Sections 101A to 101D shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws under section 101 except to the extent that such laws are inconsistent with those sections.

References to the Supreme Court of Canada

(2) For greater certainty, section 101A shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws relating to the reference of questions of law or fact, or any other matters, to the Supreme Court of Canada."

7. The said Act is further amended by adding thereto, immediately after section 106 thereof, the following section:

Shared-cost program

**"106A.** (1) The Government of Canada shall provide reasonable compensation to the government of a province that chooses not to participate in a national shared-cost program that is established by the Government of Canada after the coming into force of this section in an area of exclusive provincial jurisdiction, if the province carries on a program or initiative that is compatible with the national objectives.

Legislative power not extended

(2) Nothing in this section extends the legislative powers of the Parliament of Canada or of the legislatures of the provinces."

8. The said Act is further amended by adding thereto the following heading and sections:

“XII — CONFERENCES ON THE ECONOMY AND OTHER  
MATTERS

Conferences  
on the  
economy and  
other matters

**148.** A conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year to discuss the state of Canadian economy and such other matters as may be appropriate.

XIII — REFERENCES

Reference  
includes  
amendments

**149.** A reference to this Act shall be deemed to include a reference to any amendments thereto.”

*Constitution Act, 1982*

**9.** Sections 40 to 42 of the *Constitution Act, 1982* are repealed and the following substituted therefor:

Compen-  
sation

“**40.** Where an amendment is made under subsection 38(1) that transfers legislative powers from provincial legislatures to Parliament, Canada shall provide reasonable compensation to any province to which the amendment does not apply.

Amendment  
by  
unanimous  
consent

**41.** An amendment to the Constitution of Canada in relation to the following matters may be made by proclamation issued by the Governor General under the Great Seal of Canada only where authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province:

(a) the office of the Queen, the Governor General and the Lieutenant Governor of a province;

(b) the powers of the Senate and the method of selecting Senators;

(c) the number of members by which a province is entitled to be represented in the Senate and the residence qualifications of Senators;

(d) the right of a province to a number of members in the House of Commons not less than the number of Senators by which the province was entitled to be represented on April 17, 1982;

(e) the principle of proportionate representation of the provinces in the House of Commons prescribed by the Constitution of Canada;

(f) subject to section 43, the use of the English or the French language;



(g) the Supreme Court of Canada;

(h) the extension of existing provinces into the territories;

(i) notwithstanding any other law or practice, the establishment of new provinces; and

(j) an amendment to this Part.”

**10.** Section 44 of the said Act is repealed and the following substituted therefor:

Amendments  
by  
Parliament

“**44.** Subject to section 41, Parliament may exclusively make laws amending the Constitution of Canada in relation to the executive government of Canada or the Senate and House of Commons.”

**11.** Subsection 46(1) of the said Act is repealed and the following substituted therefor:

Initiation of  
amendment  
procedures

“**46.** (1) The procedures for amendment under sections 38, 41 and 43 may be initiated either by the Senate or the House of Commons or by the legislative assembly of a province.”

**12.** Subsection 47(1) of the said Act is repealed and the following substituted therefor:

Amendments  
without  
Senate  
resolution

“**47.** (1) An amendment to the Constitution of Canada made by proclamation under section 38, 41 or 43 may be made without a resolution of the Senate authorizing the issue of the proclamation if, within one hundred and eighty days after the adoption by the House of Commons of a resolution authorizing its issue, the Senate has not adopted such a resolution and if, at any time after the expiration of that period, the House of Commons again adopts the resolution.”

**13.** Part VI of the said Act is repealed and the following substituted therefor:

#### “PART VI

#### CONSTITUTIONAL CONFERENCES

Constitu-  
tional  
conference

**50.** (1) A constitutional conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year, commencing in 1988.

Agenda

(2) The conferences convened under subsection (1) shall have included on their agenda the following matters:

(a) Senate reform, including the role and functions of the Senate, its powers, the method of selecting Senators and representation in the Senate;

(b) roles and responsibilities in relation to fisheries; and

(c) such other matters as are agreed upon.”

14. Subsection 52(2) of the said Act is amended by striking out the word “and” at the end of paragraph (b) thereof, by adding the word “and” at the end of paragraph (c) thereof and by adding thereto the following paragraph:

“(d) any other amendment to the Constitution of Canada.”

15. Section 61 of the said Act is repealed and the following substituted therefor:

References

“61. A reference to the *Constitution Act, 1982*, or a reference to the *Constitution Acts 1867 to 1982*, shall be deemed to include a reference to any amendments thereto.”

#### General

Multicultural  
heritage and  
aboriginal  
people

16. Nothing in section 2 of the *Constitution Act, 1867* affects section 25 or 27 of the *Canadian Charter of Rights and Freedoms*, section 35 of the *Constitution Act, 1982* or class 24 of section 91 of the *Constitution Act, 1867*.

#### CITATION

Citation

17. This amendment may be cited as the *Constitution Amendment, 1987. November 24, 1987*.

M. Peterson—Résolution—

Attendu :

que la *Loi constitutionnelle de 1982* est entrée en vigueur le 17 avril 1982, à la suite d'un accord conclu entre le Canada et toutes les provinces, sauf le Québec;

que, selon le gouvernement du Québec, l'adoption de modifications visant à donner effet à ses cinq propositions de révision constitutionnelle permettrait au Québec de jouer pleinement de nouveau son rôle dans les instances constitutionnelles canadiennes;

que le projet de modification figurant en annexe présente les modalités d'un règlement relatif aux cinq propositions du Québec;

que le projet reconnaît le principe de l'égalité de toutes les provinces et prévoit, d'une part, de nouveaux arrangements propres à renforcer l'harmonie et la coopération entre le gouvernement du Canada et ceux des provinces, d'autre part la tenue de conférences consacrées à l'étude d'importantes questions constitutionnelles, économiques et autres;

que le projet porte en partie sur des questions visées à l'article 41 de la *Loi constitutionnelle de 1982*;

que cet article prévoit que la Constitution du Canada peut être modifiée par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de chaque province,

l'Assemblée législative de l'Ontario a résolu d'autoriser la modification de la Constitution du Canada par proclamation de Son Excellence le gouverneur général sous le grand sceau du Canada, en conformité avec l'annexe ci-jointe.

## ANNEXE

### MODIFICATION CONSTITUTIONNELLE DE 1987

#### *Loi constitutionnelle de 1867*

1. La *Loi constitutionnelle de 1867* est modifiée par insertion, après l'article 1, de ce qui suit:

Règle  
interprétative

«2. (1) Toute interprétation de la Constitution du Canada doit concorder avec :

a) la reconnaissance de ce que l'existence de Canadiens d'expression française, concentrés au Québec mais présents aussi dans le reste du pays, et de Canadiens d'expression anglaise, concentrés dans le reste du pays mais aussi présents au Québec, constitue une caractéristique fondamentale du Canada;

b) la reconnaissance de ce que le Québec forme au sein du Canada une société distincte.

Rôle du  
Parlement et  
des  
législatures

(2) Le Parlement du Canada et les législatures des provinces ont le rôle de protéger la caractéristique fondamentale du Canada visée à l'alinéa (1) a).

Rôle de la  
législature et  
du gouverne-  
ment du  
Québec

(3) La législature et le gouvernement du Québec ont le rôle de protéger et de promouvoir le caractère distinct du Québec visé à l'alinéa (1) b).

Maintien des  
droits des  
législatures et  
gouverne-  
ments

(4) Le présent article n'a pas pour effet de déroger aux pouvoirs, droits ou privilèges du Parlement ou du gouvernement du Canada, ou des législatures ou des gouvernements des provinces, y compris à leurs pouvoirs, droits ou privilèges en matière de langue.»

2. La même loi est modifiée par insertion, après l'article 24, de ce qui suit :

Propositions

«25. (1) En cas de vacance au Sénat, le gouvernement de la province à représenter peut proposer au Conseil privé de la Reine pour le Canada des personnes susceptibles d'être nommées au siège vacant.

Choix des  
sénateurs

(2) Jusqu'à la modification, faite conformément à l'article 41 de la *Loi constitutionnelle de 1982*, de toute disposition de la Constitution du Canada relative au Sénat, les personnes nommées aux sièges vacants au Sénat sont choisies parmi celles qui ont été proposées par le gouvernement de la province à représenter et agréées par le Conseil privé de la Reine pour le Canada.»

3. La même loi est modifiée par insertion, après l'article 95, de ce qui suit :

*«Accords relatifs à l'immigration et aux aubains*

Engagement

**95A.** Sur demande du gouvernement d'une province, le gouvernement du Canada négocie avec lui en vue de conclure, en matière d'immigration ou d'admission temporaire des aubains dans la province, un accord adapté aux besoins et à la situation particulière de celle-ci.

Accords

**95B.** (1) Tout accord conclu entre le Canada et une province en matière d'immigration ou d'admission temporaire des aubains dans la province a, une fois faite la déclaration visée au paragraphe 95C(1), force de loi et a dès lors effet indépendamment tant du point 25 de l'article 91 que de l'article 95.



## Restriction

(2) L'accord ayant ainsi force de loi n'a d'effet que dans la mesure de sa compatibilité avec les dispositions des lois du Parlement du Canada qui fixent des normes et objectifs nationaux relatifs à l'immigration et aux aubains, notamment en ce qui concerne l'établissement des catégories générales d'immigrants, les niveaux d'immigration au Canada et la détermination des catégories de personnes inadmissibles au Canada.

Application  
de la Charte

(3) La *Charte canadienne des droits et libertés* s'applique aux accords ayant ainsi force de loi et à toute mesure prise sous leur régime par le Parlement ou le gouvernement du Canada ou par la législature ou le gouvernement d'une province.

Proclamation  
relative aux  
accords

**95C.** (1) La déclaration portant qu'un accord visé au paragraphe 95B(1) a force de loi se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord.

Modification  
des accords

(2) La modification d'un accord visé au paragraphe 95B(1) se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée :

*a)* soit par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord;

*b)* soit selon les modalités prévues dans l'accord même.

Application  
des articles  
46 à 48 de la  
*Loi constitutionnelle de 1982*

**95D.** Les articles 46 à 48 de la *Loi constitutionnelle de 1982* s'appliquent, avec les adaptations nécessaires, à toute déclaration faite aux termes du paragraphe 95C(1), à toute modification d'un accord faite aux termes du paragraphe 95C(2) ou à toute modification faite aux termes de l'article 95E.

Modification  
des articles  
95A à 95D ou  
du présent  
article

**95E.** Les articles 95A à 95D ou le présent article peuvent être modifiés conformément au paragraphe 38(1) de la *Loi constitutionnelle de 1982*, à condition que la modification soit autorisée par des résolutions des assemblées législatives de toutes les provinces qui sont, à l'époque de celle-ci, parties à un accord ayant force de loi aux termes du paragraphe 95B(1).»

**4.** La même loi est modifiée par insertion, avant l'article 96, de ce qui suit :

## «Dispositions générales»

**5.** La même loi est modifiée par insertion, avant l'article 101, de ce qui suit :

*«Tribunaux créés par le Parlement du Canada»*

6. La même loi est modifiée par insertion, après l'article 101, de ce qui suit :

*«Cour suprême du Canada*

Maintien de  
la Cour  
suprême  
du Canada

**101A.** (1) La cour qui existe sous le nom de Cour suprême du Canada est maintenue à titre de cour générale d'appel pour le Canada et de cour additionnelle propre à améliorer l'application des lois du Canada. Elle conserve ses attributions de cour supérieure d'archives.

Composition

(2) La Cour suprême du Canada se compose du juge en chef, appelé juge en chef du Canada, et de huit autres juges, que nomme le gouverneur général en conseil par lettres patentes sous le grand sceau.

Conditions  
de  
nomination

**101B.** (1) Les juges sont choisis parmi les personnes qui, après avoir été admises au barreau d'une province ou d'un territoire, ont, pendant au moins dix ans au total, été juges de n'importe quel tribunal du pays ou inscrites au barreau de n'importe quelle province ou de n'importe quel territoire.

Québec :  
trois juges

(2) Au moins trois des juges sont choisis parmi les personnes qui, après avoir été admises au barreau du Québec, ont, pendant au moins dix ans au total, été inscrites à ce barreau ou juges d'un tribunal du Québec ou d'un tribunal créé par le Parlement du Canada.

Propositions  
de  
nomination

**101C.** (1) En cas de vacance à la Cour suprême du Canada, le gouvernement de chaque province peut proposer au ministre fédéral de la Justice, pour la charge devenue vacante, des personnes admises au barreau de cette province et remplissant les conditions visées à l'article 101B.

Nomination  
parmi les  
personnes  
proposées

(2) Le gouverneur général en conseil procède aux nominations parmi les personnes proposées et qui agréent au Conseil privé de la Reine pour le Canada; le présent paragraphe ne s'applique pas à la nomination du juge en chef dans les cas où il est choisi parmi les juges de la Cour suprême du Canada.

Nomination  
parmi les  
personnes  
proposées  
par le  
Québec

(3) Dans le cas de chacune de trois nominations à faire conformément au paragraphe 101B(2), le gouverneur général en conseil nomme une personne proposée par le gouvernement du Québec.

Nomination  
parmi les  
personnes  
proposées  
par les autres  
provinces

(4) Dans le cas de toute autre nomination, le gouverneur général en conseil nomme une personne proposée par le gouvernement d'une autre province que le Québec.

Inamovibilité,  
traitement,  
etc.

**101D.** Les articles 99 et 100 s'appliquent aux juges de la Cour suprême du Canada.

Rapport avec  
l'article 101

**101E.** (1) Sous réserve que ne soient pas adoptées, dans les matières visées à l'article 101, de dispositions incompatibles avec les articles 101A à 101D, ceux-ci n'ont pas pour effet de porter atteinte à la compétence législative conférée au Parlement du Canada en ces matières.

Renvois à la  
Cour  
suprême du  
Canada

(2) Il est entendu que l'article 101A n'a pas pour effet de porter atteinte à la compétence législative du Parlement du Canada en ce qui concerne le renvoi à la Cour suprême du Canada de questions de droit ou de fait, ou de toute autre question.»

7. La même loi est modifiée par insertion, après l'article 106, de ce qui suit :

Programmes  
cofinancés

«**106A.** (1) Le gouvernement du Canada fournit une juste compensation au gouvernement d'une province qui choisit de ne pas participer à un programme national cofinancé qu'il établit après l'entrée en vigueur du présent article dans un secteur de compétence exclusive provinciale, si la province applique un programme ou une mesure compatible avec les objectifs nationaux.

Non-élargissement  
des compétences  
législatives

(2) Le présent article n'élargit pas les compétences législatives du Parlement du Canada ou des législatures des provinces.»

8. La même loi est modifiée par insertion, après l'article 147, de ce qui suit :

#### «XII. — CONFÉRENCES SUR L'ÉCONOMIE ET SUR D'AUTRES QUESTIONS

Convocation

**148.** Le premier ministre du Canada convoque au moins une fois par an une conférence réunissant les premiers ministres provinciaux et lui-même et portant sur l'économie canadienne ainsi que sur toute autre question appropriée.

#### XIII. — MENTIONS

Présomption

**149.** Toute mention de la présente loi est réputée constituer également une mention de ses modifications.»

#### *Loi constitutionnelle de 1982*

9. Les articles 40 à 42 de la *Loi constitutionnelle de 1982* sont abrogés et remplacés par ce qui suit :

Compen-  
sation

«40. Le Canada fournit une juste compensation aux provinces auxquelles ne s'applique pas une modification faite conformément au paragraphe 38(1) et relative à un transfert de compétences législatives provinciales au Parlement.

Consente-  
ment  
unanime

41. Toute modification de la Constitution du Canada portant sur les questions suivantes se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de chaque province :

a) la charge de Reine, celle de gouverneur général et celle de lieutenant-gouverneur;

b) les pouvoirs du Sénat et le mode de sélection des sénateurs;

c) le nombre des sénateurs par lesquels une province est habilitée à être représentée et les conditions de résidence qu'ils doivent remplir;

d) le droit d'une province d'avoir à la Chambre des communes un nombre de députés au moins égal à celui des sénateurs par lesquels elle était habilitée à être représentée le 17 avril 1982;

e) le principe de la représentation proportionnelle des provinces à la Chambre des communes prévu par la Constitution du Canada;

f) sous réserve de l'article 43, l'usage du français ou de l'anglais;

g) la Cour suprême du Canada;

h) le rattachement aux provinces existantes de tout ou partie des territoires;

i) par dérogation à toute autre loi ou usage, la création de provinces;

j) la modification de la présente partie.»

10. L'article 44 de la même loi est abrogé et remplacé par ce qui suit :

Modification  
par le  
Parlement

«44. Sous réserve de l'article 41, le Parlement a compétence exclusive pour modifier les dispositions de la Constitution du Canada relatives au pouvoir exécutif fédéral, au Sénat ou à la Chambre des communes.»



**11.** Le paragraphe 46(1) de la même loi est abrogé et remplacé par ce qui suit :

Initiative des  
procédures

«**46.** (1) L'initiative des procédures de modification visées aux articles 38, 41 et 43 appartient au Sénat, à la Chambre des communes ou à une assemblée législative.»

**12.** Le paragraphe 47(1) de la même loi est abrogé et remplacé par ce qui suit :

Modification  
sans  
résolution du  
Sénat

«**47.**(1) Dans les cas visés à l'article 38, 41 ou 43, il peut être passé outre au défaut d'autorisation du Sénat si celui-ci n'a pas adopté de résolution dans un délai de cent quatre-vingts jours suivant l'adoption de celle de la Chambre des communes et si cette dernière, après l'expiration du délai, adopte une nouvelle résolution dans le même sens.»

**13.** La partie VI de la même loi est abrogée et remplacée par ce qui suit :

#### «PARTIE VI

#### CONFÉRENCES CONSTITUTIONNELLES

Convocation

**50.** (1) Le premier ministre du Canada convoque au moins une fois par an une conférence constitutionnelle réunissant les premiers ministres provinciaux et lui-même, la première devant avoir lieu en 1988.

Ordre du  
jour

(2) Sont placées à l'ordre du jour de ces conférences les questions suivantes :

*a)* la réforme du Sénat, y compris son rôle et ses fonctions, ses pouvoirs, le mode de sélection des sénateurs et la représentation au Sénat;

*b)* les rôles et les responsabilités en matière de pêches;

*c)* toutes autres questions dont il est convenu.»

**14.** Le paragraphe 52(2) de la même loi est modifié par adjonction de ce qui suit :

«*d)* les autres modifications qui lui sont apportées.»

**15.** L'article 61 de la même loi est abrogé et remplacé par ce qui suit :

Mentions

«**61.** Toute mention de la *Loi constitutionnelle de 1982* ou des *Lois constitutionnelles de 1867 à 1982* est réputée constituer également une mention de leurs modifications.»

*Dispositions générales*

Patrimoine  
multiculturel  
et peuples  
autochtones

16. L'article 2 de la *Loi constitutionnelle de 1867* n'a pas pour effet de porter atteinte aux articles 25 ou 27 de la *Charte canadienne des droits et libertés*, à l'article 35 de la *Loi constitutionnelle de 1982* ou au point 24 de l'article 91 de la *Loi constitutionnelle de 1867*.

## TITRE

Titre

17. Titre de la présente modification : *Modification constitutionnelle de 1987. Le 24 novembre 1987.*

10. *Mr Conway*—Resolution—That the 1987-1988 Estimates and Supplementary Estimates which have not yet been passed by the committees and reported to the House be deemed to be passed and reported to the House, and that the 1987-1988 Estimates and Supplementary Estimates be deemed to be concurred in. *April 7, 1988.*
11. *Mr Nixon*—Resolution—That this House approves in general the Budgetary Policy of the Government. *April 19, 1988.*

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**MOTION OF NON-CONFIDENCE  
UNDER STANDING ORDER 70 (a)**

1. *Mr Rae* (York South)—Notice—That the Government lacks the confidence of this House because of its abject failure to provide decent, affordable housing for the working families of Ontario—in particular, through its failure to increase the supply of affordable housing; through its failure to protect the existing housing stock; and through its failure to protect tenants. *April 11, 1988.*
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## PRIVATE MEMBERS' MOTIONS

1. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that huge rent increases year after year are constituting a threat to the competitiveness and survival of retail business in commercial strips serving residential neighbourhoods, the Government of Ontario should introduce legislation as soon as possible to regulate the rents for such business establishments in order to provide those businesses with protection from gouging landlords comparable to the protection given to tenants of residential rental premises under the Residential Rent Regulation Act, 1986. *November 10, 1987.*
2. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that part-time workers in both the public and private sector are discriminated against by the denial of many benefits and rights provided to other workers in the same establishment, a charter of rights for part-time workers should be added to both the Employment Standards Act and the Labour Relations Act to provide pro rata benefits and collective bargaining rights to such workers and that they be made eligible for severance pay and retraining and readjustment programs provided for other workers displaced by technological change in the same establishment. *November 10, 1987.*
4. *Mr Morin-Strom*—Resolution—That, in the opinion of this House, recognizing the importance of the TransCanada Highway to our nation and to our province, the government of Ontario should upgrade the TransCanada Highway to a modern four-lane system through Northern Ontario to the Manitoba border, and that the government should immediately commence design and schedule construction to ensure completion across Northern Ontario by 1997. *November 18, 1987.*
9. *Mr Wildman*—Resolution—That, in the opinion of this House, the plans of the Canada Post Corporation to close, amalgamate or franchise many rural post offices and to eliminate or tender rural route services in order to reduce its operating deficit would reduce essential mail services from many rural Ontario communities, causing severe hardship and inconvenience to rural Ontarians, particularly the elderly and disabled; the Government of Ontario should urge the Government of Canada to halt, immediately, these plans to cut service and maintain and improve rural postal services across Ontario. *December 8, 1987.*
10. *Mr Swart*—Resolution—That, in the opinion of this House, recognizing the particular desirability of the protection of consumers of bereavement services from the business practices associated with corporate concentration and the desirability of fostering and encouraging the small business sector in Ontario, the Government of Ontario should introduce legislation as soon as possible to further regulate the bereavement industry to ensure the following:
  1. That a Board of Bereavement Services, composed of representatives of the public and the various sectors and sub-sectors of the bereavement services industry, be constituted to make recommendations to

the Minister of Consumer and Commercial Relations and the Minister of Health on further reforms of the regulation of bereavement services and to act as the licensing and regulating body for funeral directors, funeral service establishments, cemeterians, cemeteries, monument builders and monument building firms;

2. That the bereavement services industry be divided into three sectors, consisting of cemeteries, funeral services and monument builders and that no proprietor, partnership or corporate entity be allowed to offer services in more than one of these sectors and that any operator who currently offers services in more than one of the sectors be allowed five years to divest itself of operations in more than one sector and where one corporate entity owns more than twenty-five per cent of the shares in other corporate entities operating in more than one of the sectors, relations between such entities shall be at arm's length;
  3. That funeral service establishments may act as agents for monument building firms in rural areas where the Board of Bereavement Services establishes that a consumer need exists and where there is no monument building firm willing to establish in such rural areas;
  4. That the ownership of any proprietorship, partnership or corporate entity involved in the provision of bereavement services must be fully disclosed to the public, including the names of all shareholders in a corporate entity who hold more than ten per cent of the shares in such entity;
  5. That no funeral service facility be allowed on the grounds of, or adjoining the grounds of, a cemetery;
  6. That for the purpose of provincial business and corporate income taxation, as well as for the purpose of municipal property taxation, cemeteries be categorized as either non-profit or commercial and that those categorized as non-profit be exempt from income and property tax and those categorized as commercial be subject to income taxation and to property taxation on all lands less each grave space occupied by a deceased person;
  7. That funeral services be sold only by a licensed funeral director through a licensed funeral service establishment, cemetery services be sold only by a licensed cemeterian through a licensed cemetery and upright monument services be sold only by a licensed monument builder through a licensed monument building firm; and
  8. That there be no telephone or door-to-door solicitation of funeral, cemetery or monument services. *December 14, 1987.*
12. *Mr Runciman*—Resolution—That, in the opinion of this House, recognizing that there have been twenty-eight bank branch closures across Ontario between 1982 and 1986 which have left many small communities without adequate banking services, the Government of Ontario should review all requests for satellite banking services and establish Province of Ontario



Savings Offices in those areas where population levels demonstrate a need for them and where financial benefit can be determined. *December 15, 1987.*

13. *Mr Sterling*—Resolution—That, in the opinion of this House, recognizing the devastating and lethal impact of tobacco on the health of our citizenry, and recognizing the tobacco industry's attempt to advertise in a manner designed to undermine the health warnings of its hazardous product, the Government of Ontario should pursue every opportunity to express its support for the Federal Government's initiative, Bill C-51, the *Tobacco Products Control Act*, An Act to prohibit the advertising and promotion and respecting the labelling and monitoring of tobacco products. *December 15, 1987.*
19. *Mr Swart*—Resolution—That, in the opinion of this House, recognizing the need for the expansion of hospital beds and related facilities in scores of communities across the province, and given the undesirability of using the regressive property tax system for funding such construction or renovation, the Lieutenant Governor-in-Council should amend Ontario Regulation 859 under the Public Hospitals Act which now limits provincial contributions to a ceiling of two thirds (five sixths on the North)—a ceiling seldom reached—to allow the provincial contribution to be 100% of the costs. *April 7, 1988.*
20. *Mr Cooke* (Windsor-Riverside)—Resolution—That, in the opinion of this House, recognizing that the scope and recommendations of the Task Force on Inflation Protection for Employment Pension Plans failed to meet the concerns of workers and most particularly retirees whose pensions have already been eroded by inflation but who will get nothing from these proposals, this Legislature strongly urges the Government of Ontario to:
  - introduce legislation to require indexation of all pensions with the same indexing formula applicable to current plan members, current pensioners and those entitled to a deferred pension.
  - place an immediate moratorium on the use of contribution holidays which are, in fact just another means of surplus withdrawals. *April 13, 1988.*
21. *Mr Carrothers*—Resolution—That, in the opinion of this House, recognizing that cancer continues to be a major source of fatality in Ontario and recognizing the need for extensive research, diagnosis and treatment, the Government of Ontario should support the development of a community based cancer clinic network. *April 14, 1988.*
22. *Mr Harris*—Resolution—That, in the opinion of this House, all future legislation which would establish an agency, board, commission or regulatory system or create new direct expenditures or tax expenditures must contain a sunset provision which would, after a specified period of time, require mandatory review of the original legislation by a committee of this House. The Committee would be mandated to report to this House on the impact of the legislation, the degree to which the program and policy objectives

have been met and make recommendations as to whether the legislation, regulations, program or agency should be continued, terminated or amended. Further, this House is of the opinion that all existing legislation which has established an agency, board, commission or regulatory system or created new direct expenditures or tax expenditures should, over the next five years be reviewed by a committee of this House with the mandate indicated above. *April 14, 1988.*

23. *Mr Runciman*—Resolution—That, in the opinion of this House, the Premier of Ontario should institute a system whereby any supplementary appropriations approved by Management Board of Cabinet are referred within 15 days of approval to the Standing Committee on Public Accounts for its consideration. *April 18, 1988.*
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## QUESTIONS

*(Questions are to appear on the day after they are tabled and on every subsequent day in the week they are tabled and then subsequently only on each Monday until an Answer (other than an Interim Answer) is tabled. A question tabled on a Thursday will appear on each day of the following week.)*

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103. *Mrs Cunningham*—Enquiry of the Ministry—Would the Minister of Skills Development provide a complete financial report on the Summer Experience '88 program including a breakdown of all administrative and advertising costs including, how many Experience '88 guide books were printed, at what cost, who they were distributed to and when. *April 14, 1988.*
  
104. *Mrs Cunningham*—Enquiry of the Ministry—Would the Minister of Skills Development provide a detailed report on the number of applications received under the Summer Experience '88 program as of the close of applications on April 8, 1988. *April 14, 1988.*
  
105. *Mrs Cunningham*—Enquiry of the Ministry—Would the Minister of Skills Development provide a complete financial report on the Ontario Summer Employment Program including; how many guideline booklets were printed, at what cost, who they were distributed to and when. *April 14, 1988.*
  
106. *Mrs Cunningham*—Enquiry of the Ministry—Would the Minister of Skills Development provide a complete financial report on the “Work, Training & Business Opportunities for young people” folder delivered to Members offices during the week of April 4, 1988 including a breakdown of all production and administrative costs, how many folders were printed, at what cost, who they were distributed to and when. *April 14, 1988.*
  
107. *Mr McLean*—Enquiry of the Ministry—Would the Minister of Natural Resources provide a list of all Ministers and their staff, other Ministry staff, as well as their families and friends, who have used government-owned, or leased, aircraft during the period August 1, 1987 to December 31, 1987, inclusive. *April 19, 1988.*
  
108. *Mr Runciman*—Enquiry of the Ministry—Will the Minister of Health inform the House if the article in the April 8, 1988, edition of the Ottawa Citizen indicating that the Royal Ottawa Hospital is overcrowded and is forced to turn away many needing psychiatric help, was accurate or not and if not, why not, and if overcrowding is occurring at the Royal Ottawa, will the Minister explain why the Brockville Psychiatric Hospital with 112 vacant beds as of April 15, 1988, is not being utilized to relieve the Ottawa situation. *April 20, 1988.*
  
109. *Mr Runciman*—Enquiry of the Ministry—Will the Minister of Health indicate whether or not she supports having labour representation on psychiatric hospital community advisory boards and, if not, why not. If yes, will the Minister ensure that labour representatives are appointed to *all* community advisory boards as soon as possible. *April 20, 1988.*

110. *Mr Runciman*—Enquiry of the Ministry—Will the Minister of Health indicate if any expansion of forensic facilities, perhaps a minimum security facility, is being contemplated for the Brockville Psychiatric Hospital. If yes, when will such expansion take place. *April 20, 1988.*
111. *Mr Runciman*—Enquiry of the Ministry—Will the Minister of Health inform the House if she is prepared to ensure the involvement of labour representatives in all future psychiatric hospital accreditation programs. If not, why not. *April 20, 1988.*
112. *Mr Runciman*—Enquiry of the Ministry—Will the Minister of Health inform the House whether or not she feels it is appropriate that organized labour does not have a representative on the Lanark-Leeds-Grenville District Health Council. If yes, why, and, if not, will she move as soon as possible to remedy the situation. *April 20, 1988.*
113. *Mr Runciman*—Enquiry of the Ministry—Will the Minister of Health advise the House if OPSEU will be represented on your internal study team reviewing the day pass release program for psychiatric forensic patients, and the St. Thomas incident, that resulted in the assault on a 14 year-old girl. If not, why not. *April 20, 1988.*
114. *Mr Runciman*—Enquiry of the Ministry—Will the Minister of Health indicate the number of patient actions that have occurred at the Brockville Psychiatric Hospital since 1984. *April 20, 1988.*
115. *Mr Runciman*—Enquiry of the Ministry—Will the Minister of Health indicate the number of open versus closed job competitions at the Brockville Psychiatric Hospital since the introduction of "Strategies for Renewal". *April 20, 1988.*
116. *Mr Runciman*—Enquiry of the Ministry—Will the Minister of Health indicate the number of grievances that have been filed at the Brockville Psychiatric Hospital since 1984 and how this compares with other psychiatric facilities in the Province. *April 20, 1988.*
117. *Mrs Grier*—Enquiry of the Ministry—Would the Minister of Municipal Affairs provide reasons for his decision, given in a letter from him to interested parties, dated February 18, 1988, to vary the recommendation of a hearing officer, appointed under the provisions of Niagara Escarpment Planning and Development Act, on a development permit to allow the demolition and re-construction of a bridge on the 4th Line Road, Township of Mono, Dufferin County, located in the "Escarpment Natural Area" designation of the Niagara Escarpment Plan. *April 20, 1988.*
118. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Housing provide a copy of the log book filed at the Toronto district office of the Central Region, such log book to list every landlord application filed under section 73 or section 74 of the *Residential Rent Regulation Act*, and to detail the following information for each application: the application number, the street name, the street number, the unit numbers (in the case of individual unit applications), the date the application was received by the



Toronto district office, and the requested increase reflected as a percentage of the total rent. *April 20, 1988.*

119. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Housing state whether or not her Ministry has amended the forms used to inform tenants of orders for rent increases made under section 73 or section 74 of the *Residential Rent Regulation Act*, so that those forms now reflect the increases awarded not only in dollars but also as percentages of the total rent, and, if the forms have been amended in this fashion, would the Minister provide copies thereof. *April 20, 1988.*
120. *Mr Runciman*—Enquiry of the Ministry—Will the Minister of Government Services outline why the bid by Microtel to supply a new telephone system for the Brockville Psychiatric Hospital was unsuccessful. Is the Minister aware that Microtel offered to contribute, free of charge, the switch for this system. Will the Minister confirm that the administrator for the Brockville Psychiatric Hospital was part of the evaluation team that recommended the Omni system. *April 20, 1988.*
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## PRIVATE MEMBERS' BUSINESS TO BE DEBATED

*(Precedence in accordance with the Standing Order 71 (d).)*

Ballot Item No. 15—*To be debated today.*

*Mr Harris*—Resolution—That, in the opinion of this House, all future legislation which would establish an agency, board, commission or regulatory system or create new direct expenditures or tax expenditures must contain a sunset provision which would, after a specified period of time, require mandatory review of the original legislation by a committee of this House. The Committee would be mandated to report to this House on the impact of the legislation, the degree to which the program and policy objectives have been met and make recommendations as to whether the legislation, regulations, program or agency should be continued, terminated or amended. Further, this House is of the opinion that all existing legislation which has established an agency, board, commission or regulatory system or created new direct expenditures or tax expenditures should, over the next five years be reviewed by a committee of this House with the mandate indicated above.

Ballot Item No. 16—*To be debated today.*

*Mr Carrothers*—Resolution—That, in the opinion of this House, recognizing that cancer continues to be a major source of fatality in Ontario and recognizing the need for extensive research, diagnosis and treatment, the Government of Ontario should support the development of a community based cancer clinic network.

Ballot Item No. 17—*To be debated on Thursday, April 28, 1988.*

*Mr Cooke* (Windsor-Riverside)—Resolution—That, in the opinion of this House, recognizing that the scope and recommendations of the Task Force on Inflation Protection for Employment Pension Plans failed to meet the concerns of workers and most particularly retirees whose pensions have already been eroded by inflation but who will get nothing from these proposals, this Legislature strongly urges the Government of Ontario to:

- introduce legislation to require indexation of all pensions with the same indexing formula applicable to current plan members, current pensioners and those entitled to a deferred pension.
- place an immediate moratorium on the use of contribution holidays which are, in fact just another means of surplus withdrawals.

Ballot Item No. 26—*To be debated on Thursday, May 26, 1988.*

*Second Reading* of Bill 12, An Act to ban Sunday racing and intertrack wagering at Greenwood Raceway and to change the composition and procedures of the Ontario Racing Commission. *Ms Bryden.*

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## BILLS REFERRED TO STANDING COMMITTEES

### STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Bill Pr1, An Act respecting Canada Christian College and School of Graduate Theological Studies. *Mr Allen. (Referred November 18, 1987.)*

Bill Pr2, An Act to revive Big Cedar Association. *Mr Owen. (Referred February 8, 1988.)*

Bill Pr4, An Act respecting The Ottawa Civil Service Recreational Association. *Mr Chiarelli. (Referred November 16, 1987.)*

Bill Pr5, An Act respecting The Chartered Institute of Marketing Management of Ontario. *Ms Hart. (Referred February 8, 1988.)*

Bill Pr7, An Act respecting the Driving School Association of Ontario. *Mr Ferraro. (Referred November 9, 1987.)*

Bill Pr11, An Act to revive L F P Management Limited. *Mrs Fawcett. (Referred April 12, 1988.)*

Bill Pr16, An Act respecting the City of Toronto. *Mr Kanter. (Referred December 8, 1987.)*

Bill Pr19, An Act respecting the City of Sudbury. *Mr Campbell. (Referred April 12, 1988.)*

Bill Pr24, An Act respecting the Hamilton Civic Hospitals. *Ms Collins. (Referred December 7, 1987.)*

Bill Pr25, An Act respecting Kingsway General Insurance Company. *Mr Cousens. (Referred December 9, 1987.)*

Bill Pr27, An Act respecting the Ontario Municipal Management Institute. *Mr Campbell. (Referred December 22, 1987.)*

Bill Pr28, An Act to revive Mid-Continent Bond Corporation, Limited. *Mr Ray (Windsor-Walkerville). (Referred April 6, 1988.)*

Bill Pr29, An Act respecting The United Church of Canada and The Canada Conference The Evangelical United Brethren Church. *Mr Epp. (Referred February 8, 1988.)*

Bill Pr30, An Act respecting The General Hospital of Port Arthur. *Mr Kozyra. (Referred December 3, 1987.)*

Bill Pr34, An Act to revive Machin Mines Limited. *Mr Kanter. (Referred February 9, 1988.)*

Bill Pr37, An Act respecting the University of Western Ontario. *Mr Reycraft. (Referred December 22, 1987.)*

Bill Pr38, An Act to revive Prow Yellowknife Gold Mines Ltd. *Mr Kanter. (Referred February 9, 1988.)*

Bill Pr40, An Act respecting the City of Trenton. *Mrs Fawcett. (Referred April 12, 1988.)*

Bill Pr49, An Act to revive Lebon Gold Mines Limited. *Mr Kanter. (Referred February 8, 1988.)*

Bill Pr56, An Act respecting the City of Toronto. *Mr Kanter. (Referred November 30, 1987.)*

Bill Pr67, An Act respecting the City of Hamilton. *Mr Charlton. (Referred December 3, 1987.)*

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## STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Bill 13, An Act respecting Environmental Rights in Ontario. *Mrs Grier. (Referred December 10, 1987.)*

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## STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Bill 50, An Act to provide for Community Mental Health Services. *Mr Reville. (Referred December 17, 1987.)*

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## MATTERS REFERRED TO SELECT COMMITTEES

### SELECT COMMITTEE ON EDUCATION

Consider and report on the role of the formal elementary and secondary school system in the successful transition of young students to adulthood in Ontario. *(Referred by Order of the House on February 11, 1988.)*

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### SELECT COMMITTEE ON ENERGY

Consider and report on Ontario Hydro Affairs. *(Referred by Order of the House on February 11, 1988.)*

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## SELECT COMMITTEE ON CONSTITUTIONAL REFORM

Consider and report on the 1987 Constitutional Accord (Sessional Paper No. 74), and matters related thereto. (*Referred by Order of the House on November 30, 1987.*)

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## MATTERS REFERRED TO STANDING COMMITTEES

*(In accordance with the Standing Orders, statutory annual reports of each ministry and of all agencies, boards and commissions reporting to each Minister for the immediate past reporting period stand permanently referred to the appropriate Standing Committees.)*

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## STANDING COMMITTEE ON FINANCE AND ECONOMIC AFFAIRS

Consider and report on the Canada-U.S. Free Trade Agreement (Sessional Paper Number 108). (*Referred by Order of the House on January 7, 1988.*)

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## STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Consider and report on Safety in Ontario Mines. (*Referred by Order of the House on January 7, 1988.*)

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## COMMITTEE MEETINGS

The Standing Committee on Finance and Economic Affairs will meet to consider the Free Trade Agreement as follows:

Today	10.00 a.m.	Room No. 1
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The Standing Committee on Public Accounts will meet to review the 1987 Annual Report of the Provincial Auditor as follows:

Today	10.00 a.m. <i>in camera</i>	Room No. 151
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## ESTIMATES

**TOTAL HOURS FOR CONSIDERATION OF  
ALL ESTIMATES ..... 381 hrs., 30 mins.**

### IN COMMITTEE OF SUPPLY

(Estimates to be taken in order shown)

- |   |                  |
|---|------------------|
| 1. Lieutenant Governor,<br>Premier and Cabinet Office ..... | 7 hrs., 30 mins. |
| 2. Government Services .....                                | 7 hrs., 30 mins. |
| <i>(Includes supplementaries, Number 2)‡</i>                |                  |
| 3. Intergovernmental Affairs .....                          | 7 hrs., 30 mins. |
| 4. Management Board of Cabinet .....                        | 7 hrs., 30 mins. |
| 5. Revenue .....  | 7 hrs., 30 mins. |
| <i>(Includes supplementaries, Number 1)†</i>                |                  |
| 6. Francophone Affairs .....                                | 7 hrs., 30 mins. |

### IN STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

(Estimates to be taken in order shown)

- |   |  |
|---|--|
| 1. Treasury and Economics .....                   | <i>(Completed Tuesday, December 8, 1987)</i> |
| 2. Energy .....                                   | 5 hrs., 54 mins.                             |
| <i>(Includes supplementaries, Number 1)†</i>      |  |
| <i>(Adjourned at Vote 1301, Item 1)</i>           |  |
| 3. Attorney General .....                         | 7 hrs., 30 mins.                             |
| <i>(Includes supplementaries, Number 1)†</i>      |  |
| <i>(Includes supplementaries, Number 2)‡</i>      |  |
| 4. Consumer and Commercial Relations .....        | 7 hrs., 30 mins.                             |
| <i>(Includes supplementaries, Number 1)†</i>      |  |
| 5. Correctional Services .....                    | 7 hrs., 30 mins.                             |
| 6. Financial Institutions .....                   | 7 hrs., 30 mins.                             |
| 7. Office Responsible for<br>Native Affairs ..... | 7 hrs., 30 mins.                             |
| 8. Solicitor General .....                        | 7 hrs., 30 mins.                             |

†Supplementary Estimates Number 1 Tabled December 17, 1987.

‡Supplementary Estimates Number 2 Tabled February 9, 1988.

## IN STANDING COMMITTEE ON GENERAL GOVERNMENT

(Estimates to be taken in order shown)

1. Labour ..... 3 hrs., 06 mins.  
(Adjourned at Vote 2101, Item 1)
2. Northern Development ..... 7 hrs., 30 mins.
3. Office Responsible for  
Women's Issues ..... 7 hrs., 30 mins.

## IN STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

(Estimates to be taken in order shown)

1. Office of the Assembly ..... 5 hrs.  
(Includes supplementaries, Number 1)†
2. Office of the  
Chief Election Officer ..... 5 hrs.

## IN STANDING COMMITTEE ON THE OMBUDSMAN

(Estimates to be taken in order shown)

1. Office of the Ombudsman ..... 5 hrs.  
(Includes supplementaries, Number 1)†

## IN STANDING COMMITTEE ON PUBLIC ACCOUNTS

(Estimates to be taken in order shown)

1. Office of the Provincial Auditor .. (Completed Thursday, December 17, 1987)

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†Supplementary Estimates Number 1 Tabled December 17, 1987.



## IN STANDING COMMITTEE ON RESOURCES DEVELOPMENT

(Estimates to be taken in order shown)

1. Industry, Trade and Technology . *(Completed Thursday, December 10, 1987)*
2. Housing ..... *(Completed Thursday, December 17, 1987)*
3. Environment ..... 7 hrs., 30 mins.  
*(Includes supplementaries, Number 1)†*
4. Agriculture and Food ..... 7 hrs., 30 mins.  
*(Includes supplementaries, Number 1)†*
5. Mines ..... 7 hrs., 30 mins.
6. Municipal Affairs ..... 7 hrs., 30 mins.  
*(Includes supplementaries, Number 1)†*  
*(Includes supplementaries, Number 2)‡*
7. Natural Resources ..... 7 hrs., 30 mins.  
*(Includes supplementaries, Number 1)†*
8. Tourism and Recreation ..... 7 hrs., 30 mins.
9. Transportation ..... 7 hrs., 30 mins.  
*(Includes supplementaries, Number 1)†*
10. Industry, Trade and Technology ..... —  
*(Supplementaries only, Number 2)‡*
11. Housing ..... —  
*(Supplementaries only, Number 2)‡*

†Supplementary Estimates Number 1 Tabled December 17, 1987.

‡Supplementary Estimates Number 2 Tabled February 9, 1988.

## IN STANDING COMMITTEE ON SOCIAL DEVELOPMENT

(Estimates to be taken in order shown)

1. Skills Development ..... (Completed Thursday, December 10, 1987)
2. Office for Disabled Persons ..... (Completed Thursday, December 17, 1987)
3. Education ..... 7 hrs., 30 mins.  
(Includes supplementaries, Number 2)‡
4. Office Responsible for  
Senior Citizens' Affairs ..... 7 hrs., 30 mins.
5. Citizenship ..... 7 hrs., 30 mins.
6. Colleges and Universities ..... 7 hrs., 30 mins.  
(Includes supplementaries, Number 1)†
7. Community and Social Services ..... 7 hrs., 30 mins.  
(Includes supplementaries, Number 1)†  
(Includes supplementaries, Number 2)‡
8. Culture and Communications ..... 7 hrs., 30 mins.
9. Health ..... 7 hrs., 30 mins.  
(Includes supplementaries, Number 1)†  
(Includes supplementaries, Number 2)‡
10. Skills Development ..... —  
(Supplementaries only, Number 1)†
11. Office for Disabled Persons ..... —  
(Supplementaries only, Number 1)†

†Supplementary Estimates Number 1 Tabled December 17, 1987.

‡Supplementary Estimates Number 2 Tabled February 9, 1988.

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# Orders and Notices

Legislative Assembly  
of the Province of Ontario



**1st Session, 34th Parliament**  
Monday, April 25, 1988

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## GOVERNMENT BILLS AND ORDERS

1. *Second Reading* Bill 4, An Act to amend the Metropolitan Toronto Police Force Complaints Act, 1984. *Mr Scott. PRINTED.*
2. *Second Reading* Bill 5, An Act to amend the Proceedings Against the Crown Act. *Mr Scott. PRINTED.*
3. *Second Reading* Bill 6, An Act to amend the Execution Act. *Mr Scott. PRINTED.*
4. *Second Reading* Bill 7, An Act to implement the Model Law on International Commercial Arbitration adopted by the United Nations Commission on International Trade Law. *Mr Scott. PRINTED.*

*Deuxième lecture* Projet de loi 7, Loi portant mise en application de la Loi type sur l'arbitrage commercial international adoptée par la Commission des Nations Unies pour le droit commercial international. *M. Scott. IMPRIMÉ.*

5. *Second Reading* Bill 9, An Act permitting Trustees and other Persons to dispose of South African investments. *Mr Scott. PRINTED.*

*Deuxième lecture* Projet de loi 9, Loi permettant aux fiduciaires et à d'autres personnes d'aliéner les placements sud-africains. *M. Scott. IMPRIMÉ.*

6. *Second Reading* Bill 15, An Act to amend the Barristers Act. *Mr Scott. PRINTED.*
7. *Second Reading* Bill 22, An Act to regulate Motor Vehicle Repairs. *Mr Wrye. PRINTED.*
8. *Second Reading* Bill 26, An Act to regulate Prepaid Services. *Mr Wrye. PRINTED.*
9. *Second Reading* Bill 27, An Act respecting Prearranged and Prepaid Funerals. *Mr Wrye. PRINTED.*
10. *Second Reading* Bill 28, An Act to amend the Funeral Services Act. *Mrs Caplan. PRINTED.*
11. *Second Reading* Bill 52, An Act to amend the Consumer Reporting Act. *Mr Wrye. PRINTED.*
12. *Second Reading* Bill 59, An Act to amend the Municipal Act and certain other Acts related to municipalities. *Mr Eakins. PRINTED.*
13. *Second Reading* Bill 66, An Act respecting Agricultural and Horticultural Organizations. *Mr Riddell. PRINTED.\**

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\*Lieutenant Governor's Recommendation received.



14. *Second Reading* Bill 68, An Act to promote the Conservation of Certain Land. *Mr Kerrio.* **PRINTED.**
15. *Second Reading* Bill 69, An Act to amend the Education Act. *Mr Ward.* **PRINTED.**
16. *Second Reading* Bill 70, An Act to amend the Education Act. *Mr Ward.* **PRINTED.**
17. *Second Reading* Bill 76, An Act to amend the Education Act and certain other Acts related to Education. *Mr Ward.* **PRINTED.**
18. *Second Reading* Bill 78, An Act respecting the Sale of Farm Implements. *Mr Riddell.* **PRINTED.**
19. *Second Reading* Bill 82, An Act respecting Energy Efficiency. *Mr Wong.* **PRINTED.**
20. *Second Reading* Bill 83, An Act respecting the Protection of Farm Practices. *Mr Riddell.* **PRINTED.**
21. *Second Reading* Bill 84, An Act to amend the Corporations Tax Act. *Mr Grandmaître.* **PRINTED.\***
22. *Second Reading* Bill 85, An Act to amend the Mining Tax Act. *Mr Grandmaître.* **PRINTED.\***
23. *Second Reading* Bill 86, An Act to amend the Highway Traffic Act. *Mr Fulton.* **PRINTED.**
24. *Second Reading* Bill 87, An Act to amend the Ontario Highway Transport Board Act. *Mr Fulton.* **PRINTED.**
25. *Second Reading* Bill 88, An Act to regulate Truck Transportation. *Mr Fulton.* **PRINTED.**
26. *Second Reading* Bill 90, An Act respecting the United Nations Convention on Contracts for the International Sale of Goods. *Mr Scott.* **PRINTED.**

*Deuxième lecture* Projet de loi 90, Loi concernant la Convention des Nations Unies sur les contrats de vente internationale de marchandises. *M. Scott.* **IMPRIMÉ.**

27. *Second Reading* Bill 93, An Act to revise the Justices of the Peace Act. *Mr Scott.* **PRINTED.**

*Deuxième lecture* Projet de loi 93, Loi portant révision de la Loi sur les juges de paix. *M. Scott.* **IMPRIMÉ.**

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\*Lieutenant Governor's Recommendation received.

28. *Second Reading* Bill 98, An Act to amend the Public Transportation and Highway Improvement Act. *Mr Fulton.* **PRINTED.**
  29. *Second Reading* Bill 99, An Act to amend the Ministry of Transportation and Communications Act. *Mr Fulton.* **PRINTED.**
  30. *Second Reading* Bill 100, An Act to amend the Education Act. *Mr Ward.* **PRINTED.**
  31. *Second Reading* Bill 101, An Act to repeal the Ministry of Transportation and Communications Creditors Payment Act. *Mr Fulton.* **PRINTED.**
  32. *Second Reading* Bill 102, An Act to amend the Construction Lien Act, 1983. *Mr Fulton.* **PRINTED.**
  33. *Second Reading* Bill 106, An Act to amend the Municipal Elections Act and the Municipal Act. *Mr Eakins.* **PRINTED.**
  34. *Second Reading* Bill 107, An Act to amend the Child and Family Services Act, 1984. *Mr Sweeney.* **PRINTED.**
  35. *Second Reading* Bill 108, An Act to amend the Rental Housing Protection Act, 1986. *Ms Hošek.* **PRINTED.**
  36. *Second Reading* Bill 109, An Act to establish a French-language School Board for The Regional Municipality of Ottawa-Carleton. *Mr Ward.* **PRINTED.**
- Deuxième lecture* Projet de loi 109, Loi portant création d'un Conseil scolaire de langue française pour la municipalité régionale d'Ottawa-Carleton. *M. Ward.* **IMPRIMÉ.**
37. *Second Reading* Bill 113, An Act to amend the Retail Business Holidays Act. *Mrs Smith (London South).*
  38. *Resuming the Adjourned Debate* on the Motion for Adoption of the Recommendations contained in the Report of the Standing Committee on the Legislative Assembly on the Service of Process within the Precincts of the House.
  39. *Concurrence in Supply* for the Ministry of Treasury and Economics.
  40. *Concurrence in Supply* for the Ministry of Skills Development.
  41. *Concurrence in Supply* for the Ministry of Industry, Trade and Technology.
  42. *Concurrence in Supply* for the Office of the Provincial Auditor.

- 43. *Concurrence in Supply* for the Office for Disabled Persons.
  - 44. *Concurrence in Supply* for the Ministry of Housing.
  - 45. *House in Committee of Supply*.
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## PRIVATE MEMBERS' PUBLIC BILLS AND ORDERS

### 46. *Committee of the Whole House:*

Bill 24, An Act to establish a Tourism Advisory Board. *Mr McLean.* **PRINTED.**

Bill 75, An Act to establish the Municipal Council Retirement Fund and to provide Retirement Allowances to Municipal Councillors. *Mr Cureatz.* **PRINTED.**

47. *Second Reading* Bill 3, An Act to protect the Public Health and Comfort and the Environment by Prohibiting and Controlling Smoking in Public Places. *Mr Sterling.* **PRINTED.**

48. *Second Reading* Bill 8, An Act to amend the Representation Act, 1986. *Mr Villeneuve.* **PRINTED.**

49. *Second Reading* Bill 10, An Act to amend the Election Act, 1984. *Mr Cousens.* **PRINTED.**

50. *Second Reading* Bill 12, An Act to ban Sunday racing and intertrack wagering at Greenwood Raceway and to change the composition and procedures of the Ontario Racing Commission. *Ms Bryden.* **PRINTED.**

51. *Second Reading* Bill 14, An Act to protect and enhance the Quality of Drinking Water in Ontario. *Mrs Grier.* **PRINTED.**

52. *Second Reading* Bill 16, An Act to encourage the Rehabilitation of Water Delivery Systems in Ontario. *Mrs Marland.* **PRINTED.**

53. *Second Reading* Bill 17, An Act to amend the Planning Act, 1983. *Mr Johnston (Scarborough West).* **PRINTED.**

54. *Second Reading* Bill 18, An Act to provide for the Conversion of Technologies and Skills used in the Nuclear Weapons Industry to Civilian Use. *Mr Johnston (Scarborough West).* **PRINTED.**

55. *Second Reading* Bill 23, An Act to proclaim 1995 as the 150th Anniversary of the arrival of Irish Immigrants in Canada. *Mr Pollock.* **PRINTED.**

56. *Second Reading* Bill 30, An Act to amend the Pension Benefits Act. *Mr Mackenzie.* **PRINTED.**

57. *Second Reading* Bill 31, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**

58. *Second Reading* Bill 32, An Act to provide for the Employment of Disabled Persons. *Mr Mackenzie.* **PRINTED.**

59. *Second Reading* Bill 33, An Act to amend the Education Act. *Mr Mackenzie.* **PRINTED.**



60. *Second Reading* Bill 34, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
61. *Second Reading* Bill 35, An Act to amend the Public Vehicles Act. *Mr Mackenzie.* **PRINTED.**
62. *Second Reading* Bill 36, An Act to provide Political Rights for Public Servants. *Mr Mackenzie.* **PRINTED.**
63. *Second Reading* Bill 37, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
64. *Second Reading* Bill 38, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
65. *Second Reading* Bill 39, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
66. *Second Reading* Bill 40, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
67. *Second Reading* Bill 41, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
68. *Second Reading* Bill 42, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
69. *Second Reading* Bill 43, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
70. *Second Reading* Bill 44, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
71. *Second Reading* Bill 45, An Act to amend the Children's Law Reform Act. *Mr Cousens.* **PRINTED.**
72. *Second Reading* Bill 47, An Act to amend the Highway Traffic Act. *Mrs Grier.* **PRINTED.**
73. *Second Reading* Bill 48, An Act to amend the Police Act. *Mr Eves.* **PRINTED.**
74. *Second Reading* Bill 49, An Act to relieve Persons from Liability in respect of voluntary Emergency Medical and First Aid Services. *Mr Haggerty.* **PRINTED.**
75. *Second Reading* Bill 53, An Act to provide for the Safety and Welfare of Crown Witnesses in Certain Criminal Proceedings. *Mr Runciman.* **PRINTED.**
76. *Second Reading* Bill 57, An Act to amend the Energy Act. *Mr Wildman.* **PRINTED.**

77. *Second Reading* Bill 60, An Act respecting the Sale of Farm Machinery and Equipment in Ontario. *Mr Wildman.* **PRINTED.**
78. *Second Reading* Bill 62, An Act to amend the Health Protection and Promotion Act, 1983. *Mr Henderson.* **PRINTED.**
79. *Second Reading* Bill 63, An Act to amend the Laboratory and Specimen Collection Centre Licensing Act. *Mr Henderson.* **PRINTED.**
80. *Second Reading* Bill 64, An Act to amend the Health Insurance Act. *Mr Henderson.* **PRINTED.**
81. *Second Reading* Bill 67, An Act to establish the East/Central Ontario Recreational Trails Commission. *Mr Pollock.* **PRINTED.**
82. *Second Reading* Bill 71, An Act to amend the Occupational Health and Safety Act. *Mr Rae (York South).* **PRINTED.**
83. *Second Reading* Bill 72, An Act respecting Simcoe Day. *Mr McLean.* **PRINTED.**
84. *Second Reading* Bill 73, An Act to amend the Public Service Superannuation Act. *Mr McLean.* **PRINTED.**
85. *Second Reading* Bill 74, An Act to amend the Legislative Assembly Retirement Allowances Act. *Mr McLean.* **PRINTED.**
86. *Second Reading* Bill 89, An Act requiring municipalities to establish Programs for the Recycling of Garbage. *Mrs Marland.* **PRINTED.**
87. *Second Reading* Bill 91, An Act to amend the Election Act. *Mr Sterling.* **PRINTED.**
88. *Second Reading* Bill 92, An Act to prevent unjust enrichment through the Financial Exploitation of Crime. *Mr Wildman.* **PRINTED.**
89. *Second Reading* Bill 94, An Act to prohibit Discrimination by Municipalities against Unrelated Persons Occupying Residential Property. *Mr Jackson.* **PRINTED.**
90. *Second Reading* Bill 95, An Act to amend the Children's Law Reform Act. *Mr Henderson.* **PRINTED.**
91. *Second Reading* Bill 96, An Act to amend the Highway Traffic Act. *Mr Wildman.* **PRINTED.**
92. *Second Reading* Bill 97, An Act to amend Human Rights Code, 1981. *Mr Reville.* **PRINTED.**
93. *Second Reading* Bill 103, An Act respecting Living Wills. *Mr Cureatz.* **PRINTED.**

94. *Second Reading* Bill 104, An Act to amend the Courts of Justice Act, 1984.  
*Mr Cureatz.* **PRINTED.**
95. *Second Reading* Bill 105, An Act to amend the Legislative Assembly Act.  
*Mr Cureatz.* **PRINTED.**
96. *Second Reading* Bill 110, An Act to declare Remembrance Day as a Holiday  
for Veterans. *Mr Henderson.* **PRINTED.**
97. *Second Reading* Bill 111, An Act to amend the Legislative Assembly Act.  
*Mr Swart.* **PRINTED.**
98. *Second Reading* Bill 112, An Act to amend the Legislative Assembly Act.  
*Mr Epp.* **PRINTED.**

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### PRIVATE BILLS

99. *Second Reading* Bill Pr10, An Act respecting the Oshawa Public Utilities  
Commission. *Mr Breaugh.* **PRINTED.**
100. *Second Reading* Bill Pr22, An Act respecting the City of Mississauga. *Mr  
Offer.* **REPRINTED.**
101. *Second Reading* Bill Pr62, An Act respecting The Windsor Utilities  
Commission. *Mr Ray (Windsor-Walkerville).* **PRINTED.**
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## NOTICES

### GOVERNMENT MOTIONS

6. *Mr. Peterson*—Resolution—WHEREAS the *Constitution Act, 1982* came into force on April 17, 1982, following an agreement between Canada and all the provinces except Quebec;

AND WHEREAS the Government of Quebec has established a set of five proposals for constitutional change and has stated that amendments to give effect to those proposals would enable Quebec to resume a full role in the constitutional councils of Canada;

AND WHEREAS the amendment proposed in the schedule hereto sets out the basis on which Quebec's five constitutional proposals may be met;

AND WHEREAS the amendment proposed in the schedule hereto also recognizes the principle of the equality of all the provinces, provides new arrangements to foster greater harmony and cooperation between the Government of Canada and the governments of the provinces and requires that conferences be convened to consider important constitutional, economic and other issues;

AND WHEREAS certain portions of the amendment proposed in the schedule hereto relate to matters referred to in section 41 of the *Constitution Act, 1982*;

AND WHEREAS section 41 of the *Constitution Act, 1982* provides that an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and the House of Commons and of the legislative assembly of each province;

NOW THEREFORE the Legislative Assembly of Ontario resolves that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by Her Excellency the Governor General under the Great Seal of Canada in accordance with the schedule hereto.

### SCHEDULE

#### CONSTITUTION AMENDMENT, 1987

*Constitution Act, 1867*

1. The *Constitution Act, 1867* is amended by adding thereto, immediately after section 1 thereof, the following section:

Interpre-  
tation

“2. (1) The Constitution of Canada shall be interpreted in a manner consistent with

(a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present elsewhere



in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada; and

(b) the recognition that Quebec constitutes within Canada a distinct society.

Role of  
Parliament  
and  
legislatures

(2) The role of the Parliament of Canada and the provincial legislatures to preserve the fundamental characteristic of Canada referred to in paragraph (1)(a) is affirmed.

Role of  
legislature  
and  
Government  
of Quebec

(3) The role of the legislature and Government of Quebec to preserve and promote the distinct identity of Quebec referred to in paragraph (1)(b) is affirmed.

Rights of  
legislatures  
and  
governments  
preserved

(4) Nothing in this section derogates from the powers, rights or privileges of Parliament or the Government of Canada, or of the legislatures or governments of the provinces, including any powers, rights or privileges relating to language.”

2. The said Act is further amended by adding thereto, immediately after section 24 thereof, the following section:

Names to be  
submitted

“25. (1) Where a vacancy occurs in the Senate, the Government of the province to which the vacancy relates may, in relation to that vacancy, submit to the Queen’s Privy Council for Canada the names of persons who may be summoned to the Senate.

Choice of  
Senators  
from names  
submitted

(2) Until an amendment to the Constitution of Canada is made in relation to the Senate pursuant to section 41 of the *Constitution Act, 1982*, the person summoned to fill a vacancy in the Senate shall be chosen from among persons whose names have been submitted under subsection (1) by the government of the province to which the vacancy relates and must be acceptable to the Queen’s Privy Council for Canada.”

3. The said Act is further amended by adding thereto, immediately after section 95 thereof, the following heading and sections:

### “*Agreements on Immigration and Aliens*

Commitment  
to negotiate

95A. The Government of Canada shall, at the request of the government of any province, negotiate with the government of that province for the purpose of concluding an agreement relating to immigration or the temporary admission of aliens into that province that is appropriate to the needs and circumstances of that province.

## Agreements

**95B.** (1) Any agreement concluded between Canada and a province in relation to immigration or the temporary admission of aliens into that province has the force of law from the time it is declared to do so in accordance with subsection 95C(1) and shall from that time have effect notwithstanding class 25 of section 91 or section 95.

## Limitation

(2) An agreement that has the force of law under subsection (1) shall have effect only so long and so far as it is not repugnant to any provision of an Act of the Parliament of Canada that sets national standards and objectives relating to immigration or aliens, including any provision that establishes general classes of immigrants or relates to levels of immigration for Canada or that prescribes classes of individuals who are inadmissible into Canada.

Application  
of Charter

(3) The *Canadian Charter of Rights and Freedoms* applies in respect of any agreement that has the force of law under subsection (1) and in respect of anything done by the Parliament or Government of Canada, or the legislature or government of a province, pursuant to any such agreement.

Proclamation  
relating to  
agreements

**95C.** (1) A declaration that an agreement referred to in subsection 95B(1) has the force of law may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement.

Amendment  
of  
agreements

(2) An amendment to an agreement referred to in subsection 95B(1) may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized

(a) by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement; or

(b) in such other manner as is set out in the agreement.

Application  
of sections 46  
to 48 of  
*Constitution  
Act, 1982*

**95D.** Sections 46 to 48 of the *Constitution Act, 1982* apply, with such modifications as the circumstances require, in respect of any declaration made pursuant to subsection 95C(1), any amendment to an agreement made pursuant to subsection 95C(2) or any amendment made pursuant to section 95E.

Amendments  
to sections  
95A to 95D  
or this  
section

**95E.** An amendment to sections 95A to 95D or this section may be made in accordance with the procedure set out in subsection 38(1) of the *Constitution Act, 1982*, but only if the amendment is authorized by resolutions of the legislative assemblies of all the provinces that are, at the time of the

amendment, parties to an agreement that has the force of law under subsection 95B(1).”

4. The said Act is further amended by adding thereto, immediately preceding section 96 thereof, the following heading:

*“General”*

5. The said Act is further amended by adding thereto, immediately preceding section 101 thereof, the following heading:

*“Courts Established by the Parliament of Canada”*

6. The said Act is further amended by adding thereto, immediately after section 101 thereof, the following heading and sections:

*“Supreme Court of Canada*

Supreme  
Court  
continued

**101A.** (1) The court existing under the name of the Supreme Court of Canada is hereby continued as the general court of appeal for Canada, and as an additional court for the better administration of the laws of Canada, and shall continue to be a superior court of record.

Constitution  
of court

(2) The Supreme Court of Canada shall consist of a chief justice to be called the Chief Justice of Canada and eight other judges, who shall be appointed by the Governor General in Council by letters patent under the Great Seal.

Who may be  
appointed  
judges

**101B.** (1) Any person may be appointed a judge of the Supreme Court of Canada who, after having been admitted to the bar of any province or territory, has, for a total of at least ten years, been a judge of any court in Canada or a member of the bar of any province or territory.

Three judges  
from Quebec

(2) At least three judges of the Supreme Court of Canada shall be appointed from among persons who, after having been admitted to the bar of Quebec, have, for a total of at least ten years, been judges of any court of Quebec or of any court established by the Parliament of Canada, or members of the bar of Quebec.

Names may  
be submitted

**101C.** (1) Where a vacancy occurs in the Supreme Court of Canada, the government of each province may, in relation to that vacancy, submit to the Minister of Justice of Canada the names of any of the persons who have been admitted to the bar of that province and are qualified under section 101B for appointment to that court.

Appointment  
from names  
submitted

(2) Where an appointment is made to the Supreme Court of Canada, the Governor General in Council shall, except

where the Chief Justice is appointed from among members of the Court, appoint a person whose name has been submitted under subsection (1) and who is acceptable to the Queen's Privy Council for Canada.

Appointment  
from Quebec

(3) Where an appointment is made in accordance with subsection (2) of any of the three judges necessary to meet the requirement set out in subsection 101B(2), the Governor General in Council shall appoint a person whose name has been submitted by the Government of Quebec.

Appointment  
from other  
provinces

(4) Where an appointment is made in accordance with subsection (2) otherwise than as required under subsection (3), the Governor General in Council shall appoint a person whose name has been submitted by the government of a province other than Quebec.

Tenure,  
salaries, etc.  
of judges

**101D.** Sections 99 and 100 apply in respect of the judges of the Supreme Court of Canada.

Relationship  
to section 101

**101E.** (1) Sections 101A to 101D shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws under section 101 except to the extent that such laws are inconsistent with those sections.

References  
to the  
Supreme  
Court of  
Canada

(2) For greater certainty, section 101A shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws relating to the reference of questions of law or fact, or any other matters, to the Supreme Court of Canada."

7. The said Act is further amended by adding thereto, immediately after section 106 thereof, the following section:

Shared-cost  
program

**"106A.** (1) The Government of Canada shall provide reasonable compensation to the government of a province that chooses not to participate in a national shared-cost program that is established by the Government of Canada after the coming into force of this section in an area of exclusive provincial jurisdiction, if the province carries on a program or initiative that is compatible with the national objectives.

Legislative  
power not  
extended

(2) Nothing in this section extends the legislative powers of the Parliament of Canada or of the legislatures of the provinces."

8. The said Act is further amended by adding thereto the following heading and sections:



“XII — CONFERENCES ON THE ECONOMY AND OTHER  
MATTERS

Conferences  
on the  
economy and  
other matters

**148.** A conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year to discuss the state of Canadian economy and such other matters as may be appropriate.

XIII — REFERENCES

Reference  
includes  
amendments

**149.** A reference to this Act shall be deemed to include a reference to any amendments thereto.”

*Constitution Act, 1982*

**9.** Sections 40 to 42 of the *Constitution Act, 1982* are repealed and the following substituted therefor:

Compensation

“**40.** Where an amendment is made under subsection 38(1) that transfers legislative powers from provincial legislatures to Parliament, Canada shall provide reasonable compensation to any province to which the amendment does not apply.

Amendment  
by  
unanimous  
consent

**41.** An amendment to the Constitution of Canada in relation to the following matters may be made by proclamation issued by the Governor General under the Great Seal of Canada only where authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province:

(a) the office of the Queen, the Governor General and the Lieutenant Governor of a province;

(b) the powers of the Senate and the method of selecting Senators;

(c) the number of members by which a province is entitled to be represented in the Senate and the residence qualifications of Senators;

(d) the right of a province to a number of members in the House of Commons not less than the number of Senators by which the province was entitled to be represented on April 17, 1982;

(e) the principle of proportionate representation of the provinces in the House of Commons prescribed by the Constitution of Canada;

(f) subject to section 43, the use of the English or the French language;

(g) the Supreme Court of Canada;

(h) the extension of existing provinces into the territories;

(i) notwithstanding any other law or practice, the establishment of new provinces; and

(j) an amendment to this Part.”

**10.** Section 44 of the said Act is repealed and the following substituted therefor:

Amendments  
by  
Parliament

“**44.** Subject to section 41, Parliament may exclusively make laws amending the Constitution of Canada in relation to the executive government of Canada or the Senate and House of Commons.”

**11.** Subsection 46(1) of the said Act is repealed and the following substituted therefor:

Initiation of  
amendment  
procedures

“**46.** (1) The procedures for amendment under sections 38, 41 and 43 may be initiated either by the Senate or the House of Commons or by the legislative assembly of a province.”

**12.** Subsection 47(1) of the said Act is repealed and the following substituted therefor:

Amendments  
without  
Senate  
resolution

“**47.** (1) An amendment to the Constitution of Canada made by proclamation under section 38, 41 or 43 may be made without a resolution of the Senate authorizing the issue of the proclamation if, within one hundred and eighty days after the adoption by the House of Commons of a resolution authorizing its issue, the Senate has not adopted such a resolution and if, at any time after the expiration of that period, the House of Commons again adopts the resolution.”

**13.** Part VI of the said Act is repealed and the following substituted therefor:

#### “PART VI

#### CONSTITUTIONAL CONFERENCES

Constitu-  
tional  
conference

**50.** (1) A constitutional conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year, commencing in 1988.

Agenda

(2) The conferences convened under subsection (1) shall have included on their agenda the following matters:

(a) Senate reform, including the role and functions of the Senate, its powers, the method of selecting Senators and representation in the Senate;

(b) roles and responsibilities in relation to fisheries; and

(c) such other matters as are agreed upon.”

14. Subsection 52(2) of the said Act is amended by striking out the word “and” at the end of paragraph (b) thereof, by adding the word “and” at the end of paragraph (c) thereof and by adding thereto the following paragraph:

“(d) any other amendment to the Constitution of Canada.”

15. Section 61 of the said Act is repealed and the following substituted therefor:

References

“61. A reference to the *Constitution Act, 1982*, or a reference to the *Constitution Acts 1867 to 1982*, shall be deemed to include a reference to any amendments thereto.”

#### *General*

Multicultural  
heritage and  
aboriginal  
people

16. Nothing in section 2 of the *Constitution Act, 1867* affects section 25 or 27 of the *Canadian Charter of Rights and Freedoms*, section 35 of the *Constitution Act, 1982* or class 24 of section 91 of the *Constitution Act, 1867*.

#### CITATION

Citation

17. This amendment may be cited as the *Constitution Amendment, 1987. November 24, 1987*.

M. Peterson—Résolution—

Attendu :

que la *Loi constitutionnelle de 1982* est entrée en vigueur le 17 avril 1982, à la suite d'un accord conclu entre le Canada et toutes les provinces, sauf le Québec;

que, selon le gouvernement du Québec, l'adoption de modifications visant à donner effet à ses cinq propositions de révision constitutionnelle permettrait au Québec de jouer pleinement de nouveau son rôle dans les instances constitutionnelles canadiennes;

que le projet de modification figurant en annexe présente les modalités d'un règlement relatif aux cinq propositions du Québec;

que le projet reconnaît le principe de l'égalité de toutes les provinces et prévoit, d'une part, de nouveaux arrangements propres à renforcer l'harmonie et la coopération entre le gouvernement du Canada et ceux des provinces, d'autre part la tenue de conférences consacrées à l'étude d'importantes questions constitutionnelles, économiques et autres;

que le projet porte en partie sur des questions visées à l'article 41 de la *Loi constitutionnelle de 1982*;

que cet article prévoit que la Constitution du Canada peut être modifiée par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de chaque province,

l'Assemblée législative de l'Ontario a résolu d'autoriser la modification de la Constitution du Canada par proclamation de Son Excellence le gouverneur général sous le grand sceau du Canada, en conformité avec l'annexe ci-jointe.

## ANNEXE

### MODIFICATION CONSTITUTIONNELLE DE 1987

#### *Loi constitutionnelle de 1867*

1. La *Loi constitutionnelle de 1867* est modifiée par insertion, après l'article 1, de ce qui suit:

Règle  
interprétative

«2. (1) Toute interprétation de la Constitution du Canada doit concorder avec :

a) la reconnaissance de ce que l'existence de Canadiens d'expression française, concentrés au Québec mais présents aussi dans le reste du pays, et de Canadiens d'expression anglaise, concentrés dans le reste du pays mais aussi présents au Québec, constitue une caractéristique fondamentale du Canada;



b) la reconnaissance de ce que le Québec forme au sein du Canada une société distincte.

Rôle du  
Parlement et  
des  
législatures

(2) Le Parlement du Canada et les législatures des provinces ont le rôle de protéger la caractéristique fondamentale du Canada visée à l'alinéa (1) a).

Rôle de la  
législature et  
du gouverne-  
ment du  
Québec

(3) La législature et le gouvernement du Québec ont le rôle de protéger et de promouvoir le caractère distinct du Québec visé à l'alinéa (1) b).

Maintien des  
droits des  
législatures et  
gouverne-  
ments

(4) Le présent article n'a pas pour effet de déroger aux pouvoirs, droits ou privilèges du Parlement ou du gouvernement du Canada, ou des législatures ou des gouvernements des provinces, y compris à leurs pouvoirs, droits ou privilèges en matière de langue.»

2. La même loi est modifiée par insertion, après l'article 24, de ce qui suit :

Propositions

«25. (1) En cas de vacance au Sénat, le gouvernement de la province à représenter peut proposer au Conseil privé de la Reine pour le Canada des personnes susceptibles d'être nommées au siège vacant.

Choix des  
sénateurs

(2) Jusqu'à la modification, faite conformément à l'article 41 de la *Loi constitutionnelle de 1982*, de toute disposition de la Constitution du Canada relative au Sénat, les personnes nommées aux sièges vacants au Sénat sont choisies parmi celles qui ont été proposées par le gouvernement de la province à représenter et agréées par le Conseil privé de la Reine pour le Canada.»

3. La même loi est modifiée par insertion, après l'article 95, de ce qui suit :

*«Accords relatifs à l'immigration et aux aubains*

Engagement

95A. Sur demande du gouvernement d'une province, le gouvernement du Canada négocie avec lui en vue de conclure, en matière d'immigration ou d'admission temporaire des aubains dans la province, un accord adapté aux besoins et à la situation particulière de celle-ci.

Accords

95B. (1) Tout accord conclu entre le Canada et une province en matière d'immigration ou d'admission temporaire des aubains dans la province a, une fois faite la déclaration visée au paragraphe 95C(1), force de loi et a dès lors effet indépendamment tant du point 25 de l'article 91 que de l'article 95.

## Restriction

(2) L'accord ayant ainsi force de loi n'a d'effet que dans la mesure de sa compatibilité avec les dispositions des lois du Parlement du Canada qui fixent des normes et objectifs nationaux relatifs à l'immigration et aux aubains, notamment en ce qui concerne l'établissement des catégories générales d'immigrants, les niveaux d'immigration au Canada et la détermination des catégories de personnes inadmissibles au Canada.

## Application de la Charte

(3) La *Charte canadienne des droits et libertés* s'applique aux accords ayant ainsi force de loi et à toute mesure prise sous leur régime par le Parlement ou le gouvernement du Canada ou par la législature ou le gouvernement d'une province.

## Proclamation relative aux accords

**95C.** (1) La déclaration portant qu'un accord visé au paragraphe 95B(1) a force de loi se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord.

## Modification des accords

(2) La modification d'un accord visé au paragraphe 95B(1) se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée :

a) soit par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord;

b) soit selon les modalités prévues dans l'accord même.

Application des articles 46 à 48 de la *Loi constitutionnelle de 1982*

**95D.** Les articles 46 à 48 de la *Loi constitutionnelle de 1982* s'appliquent, avec les adaptations nécessaires, à toute déclaration faite aux termes du paragraphe 95C(1), à toute modification d'un accord faite aux termes du paragraphe 95C(2) ou à toute modification faite aux termes de l'article 95E.

## Modification des articles 95A à 95D ou du présent article

**95E.** Les articles 95A à 95D ou le présent article peuvent être modifiés conformément au paragraphe 38(1) de la *Loi constitutionnelle de 1982*, à condition que la modification soit autorisée par des résolutions des assemblées législatives de toutes les provinces qui sont, à l'époque de celle-ci, parties à un accord ayant force de loi aux termes du paragraphe 95B(1).»

4. La même loi est modifiée par insertion, avant l'article 96, de ce qui suit :

## «Dispositions générales»

5. La même loi est modifiée par insertion, avant l'article 101, de ce qui suit :

*«Tribunaux créés par le Parlement du Canada»*

**6.** La même loi est modifiée par insertion, après l'article 101, de ce qui suit :

*«Cour suprême du Canada*

Maintien de  
la Cour  
suprême  
du Canada

**101A.** (1) La cour qui existe sous le nom de Cour suprême du Canada est maintenue à titre de cour générale d'appel pour le Canada et de cour additionnelle propre à améliorer l'application des lois du Canada. Elle conserve ses attributions de cour supérieure d'archives.

Composition

(2) La Cour suprême du Canada se compose du juge en chef, appelé juge en chef du Canada, et de huit autres juges, que nomme le gouverneur général en conseil par lettres patentes sous le grand sceau.

Conditions  
de  
nomination

**101B.** (1) Les juges sont choisis parmi les personnes qui, après avoir été admises au barreau d'une province ou d'un territoire, ont, pendant au moins dix ans au total, été juges de n'importe quel tribunal du pays ou inscrites au barreau de n'importe quelle province ou de n'importe quel territoire.

Québec :  
trois juges

(2) Au moins trois des juges sont choisis parmi les personnes qui, après avoir été admises au barreau du Québec, ont, pendant au moins dix ans au total, été inscrites à ce barreau ou juges d'un tribunal du Québec ou d'un tribunal créé par le Parlement du Canada.

Propositions  
de  
nomination

**101C.** (1) En cas de vacance à la Cour suprême du Canada, le gouvernement de chaque province peut proposer au ministre fédéral de la Justice, pour la charge devenue vacante, des personnes admises au barreau de cette province et remplissant les conditions visées à l'article 101B.

Nomination  
parmi les  
personnes  
proposées

(2) Le gouverneur général en conseil procède aux nominations parmi les personnes proposées et qui agréent au Conseil privé de la Reine pour le Canada; le présent paragraphe ne s'applique pas à la nomination du juge en chef dans les cas où il est choisi parmi les juges de la Cour suprême du Canada.

Nomination  
parmi les  
personnes  
proposées  
par le  
Québec

(3) Dans le cas de chacune de trois nominations à faire conformément au paragraphe 101B(2), le gouverneur général en conseil nomme une personne proposée par le gouvernement du Québec.

Nomination  
parmi les  
personnes  
proposées  
par les autres  
provinces

(4) Dans le cas de toute autre nomination, le gouverneur général en conseil nomme une personne proposée par le gouvernement d'une autre province que le Québec.

Inamovibilité,  
traitement,  
etc.

**101D.** Les articles 99 et 100 s'appliquent aux juges de la Cour suprême du Canada.

Rapport avec  
l'article 101

**101E.** (1) Sous réserve que ne soient pas adoptées, dans les matières visées à l'article 101, de dispositions incompatibles avec les articles 101A à 101D, ceux-ci n'ont pas pour effet de porter atteinte à la compétence législative conférée au Parlement du Canada en ces matières.

Renvois à la  
Cour  
suprême du  
Canada

(2) Il est entendu que l'article 101A n'a pas pour effet de porter atteinte à la compétence législative du Parlement du Canada en ce qui concerne le renvoi à la Cour suprême du Canada de questions de droit ou de fait, ou de toute autre question.»

**7.** La même loi est modifiée par insertion, après l'article 106, de ce qui suit :

Programmes  
cofinancés

«**106A.** (1) Le gouvernement du Canada fournit une juste compensation au gouvernement d'une province qui choisit de ne pas participer à un programme national cofinancé qu'il établit après l'entrée en vigueur du présent article dans un secteur de compétence exclusive provinciale, si la province applique un programme ou une mesure compatible avec les objectifs nationaux.

Non-élargis-  
sment des  
compétences  
législatives

(2) Le présent article n'élargit pas les compétences législatives du Parlement du Canada ou des législatures des provinces.»

**8.** La même loi est modifiée par insertion, après l'article 147, de ce qui suit :

#### «XII. — CONFÉRENCES SUR L'ÉCONOMIE ET SUR D'AUTRES QUESTIONS

Convocation

**148.** Le premier ministre du Canada convoque au moins une fois par an une conférence réunissant les premiers ministres provinciaux et lui-même et portant sur l'économie canadienne ainsi que sur toute autre question appropriée.

#### XIII. — MENTIONS

Présomption

**149.** Toute mention de la présente loi est réputée constituer également une mention de ses modifications.»

#### *Loi constitutionnelle de 1982*

**9.** Les articles 40 à 42 de la *Loi constitutionnelle de 1982* sont abrogés et remplacés par ce qui suit :



Compensation

«40. Le Canada fournit une juste compensation aux provinces auxquelles ne s'applique pas une modification faite conformément au paragraphe 38(1) et relative à un transfert de compétences législatives provinciales au Parlement.

Consentement  
unanime

41. Toute modification de la Constitution du Canada portant sur les questions suivantes se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de chaque province :

a) la charge de Reine, celle de gouverneur général et celle de lieutenant-gouverneur;

b) les pouvoirs du Sénat et le mode de sélection des sénateurs;

c) le nombre des sénateurs par lesquels une province est habilitée à être représentée et les conditions de résidence qu'ils doivent remplir;

d) le droit d'une province d'avoir à la Chambre des communes un nombre de députés au moins égal à celui des sénateurs par lesquels elle était habilitée à être représentée le 17 avril 1982;

e) le principe de la représentation proportionnelle des provinces à la Chambre des communes prévu par la Constitution du Canada;

f) sous réserve de l'article 43, l'usage du français ou de l'anglais;

g) la Cour suprême du Canada;

h) le rattachement aux provinces existantes de tout ou partie des territoires;

i) par dérogation à toute autre loi ou usage, la création de provinces;

j) la modification de la présente partie.»

10. L'article 44 de la même loi est abrogé et remplacé par ce qui suit :

Modification  
par le  
Parlement

«44. Sous réserve de l'article 41, le Parlement a compétence exclusive pour modifier les dispositions de la Constitution du Canada relatives au pouvoir exécutif fédéral, au Sénat ou à la Chambre des communes.»

**11.** Le paragraphe 46(1) de la même loi est abrogé et remplacé par ce qui suit :

Initiative des  
procédures

«**46.** (1) L'initiative des procédures de modification visées aux articles 38, 41 et 43 appartient au Sénat, à la Chambre des communes ou à une assemblée législative.»

**12.** Le paragraphe 47(1) de la même loi est abrogé et remplacé par ce qui suit :

Modification  
sans  
résolution du  
Sénat

«**47.**(1) Dans les cas visés à l'article 38, 41 ou 43, il peut être passé outre au défaut d'autorisation du Sénat si celui-ci n'a pas adopté de résolution dans un délai de cent quatre-vingts jours suivant l'adoption de celle de la Chambre des communes et si cette dernière, après l'expiration du délai, adopte une nouvelle résolution dans le même sens.»

**13.** La partie VI de la même loi est abrogée et remplacée par ce qui suit :

#### «PARTIE VI

#### CONFÉRENCES CONSTITUTIONNELLES

Convocation

**50.** (1) Le premier ministre du Canada convoque au moins une fois par an une conférence constitutionnelle réunissant les premiers ministres provinciaux et lui-même, la première devant avoir lieu en 1988.

Ordre du  
jour

(2) Sont placées à l'ordre du jour de ces conférences les questions suivantes :

a) la réforme du Sénat, y compris son rôle et ses fonctions, ses pouvoirs, le mode de sélection des sénateurs et la représentation au Sénat;

b) les rôles et les responsabilités en matière de pêches;

c) toutes autres questions dont il est convenu.»

**14.** Le paragraphe 52(2) de la même loi est modifié par adjonction de ce qui suit :

«d) les autres modifications qui lui sont apportées.»

**15.** L'article 61 de la même loi est abrogé et remplacé par ce qui suit :

Mentions

«**61.** Toute mention de la *Loi constitutionnelle de 1982* ou des *Lois constitutionnelles de 1867 à 1982* est réputée constituer également une mention de leurs modifications.»

*Dispositions générales*

Patrimoine  
multiculturel  
et peuples  
autochtones

**16.** L'article 2 de la *Loi constitutionnelle de 1867* n'a pas pour effet de porter atteinte aux articles 25 ou 27 de la *Charte canadienne des droits et libertés*, à l'article 35 de la *Loi constitutionnelle de 1982* ou au point 24 de l'article 91 de la *Loi constitutionnelle de 1867*.

## TITRE

Titre

**17.** Titre de la présente modification : *Modification constitutionnelle de 1987. Le 24 novembre 1987.*

10. *Mr Conway*—Resolution—That the 1987-1988 Estimates and Supplementary Estimates which have not yet been passed by the committees and reported to the House be deemed to be passed and reported to the House, and that the 1987-1988 Estimates and Supplementary Estimates be deemed to be concurred in. *April 7, 1988.*
11. *Mr Nixon*—Resolution—That this House approves in general the Budgetary Policy of the Government. *April 19, 1988.*

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**MOTION OF NON-CONFIDENCE  
UNDER STANDING ORDER 70 (a)**

1. *Mr Rae* (York South)—Notice—That the Government lacks the confidence of this House because of its abject failure to provide decent, affordable housing for the working families of Ontario—in particular, through its failure to increase the supply of affordable housing; through its failure to protect the existing housing stock; and through its failure to protect tenants. *April 11, 1988.*
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## PRIVATE MEMBERS' MOTIONS

1. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that huge rent increases year after year are constituting a threat to the competitiveness and survival of retail business in commercial strips serving residential neighbourhoods, the Government of Ontario should introduce legislation as soon as possible to regulate the rents for such business establishments in order to provide those businesses with protection from gouging landlords comparable to the protection given to tenants of residential rental premises under the Residential Rent Regulation Act, 1986. *November 10, 1987.*
  
2. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that part-time workers in both the public and private sector are discriminated against by the denial of many benefits and rights provided to other workers in the same establishment, a charter of rights for part-time workers should be added to both the Employment Standards Act and the Labour Relations Act to provide pro rata benefits and collective bargaining rights to such workers and that they be made eligible for severance pay and retraining and readjustment programs provided for other workers displaced by technological change in the same establishment. *November 10, 1987.*
  
4. *Mr Morin-Strom*—Resolution—That, in the opinion of this House, recognizing the importance of the TransCanada Highway to our nation and to our province, the government of Ontario should upgrade the TransCanada Highway to a modern four-lane system through Northern Ontario to the Manitoba border, and that the government should immediately commence design and schedule construction to ensure completion across Northern Ontario by 1997. *November 18, 1987.*
  
9. *Mr Wildman*—Resolution—That, in the opinion of this House, the plans of the Canada Post Corporation to close, amalgamate or franchise many rural post offices and to eliminate or tender rural route services in order to reduce its operating deficit would reduce essential mail services from many rural Ontario communities, causing severe hardship and inconvenience to rural Ontarians, particularly the elderly and disabled; the Government of Ontario should urge the Government of Canada to halt, immediately, these plans to cut service and maintain and improve rural postal services across Ontario. *December 8, 1987.*
  
10. *Mr Swart*—Resolution—That, in the opinion of this House, recognizing the particular desirability of the protection of consumers of bereavement services from the business practices associated with corporate concentration and the desirability of fostering and encouraging the small business sector in Ontario, the Government of Ontario should introduce legislation as soon as possible to further regulate the bereavement industry to ensure the following:
  1. That a Board of Bereavement Services, composed of representatives of the public and the various sectors and sub-sectors of the bereavement services industry, be constituted to make recommendations to



the Minister of Consumer and Commercial Relations and the Minister of Health on further reforms of the regulation of bereavement services and to act as the licensing and regulating body for funeral directors, funeral service establishments, cemeterians, cemeteries, monument builders and monument building firms;

2. That the bereavement services industry be divided into three sectors, consisting of cemeteries, funeral services and monument builders and that no proprietor, partnership or corporate entity be allowed to offer services in more than one of these sectors and that any operator who currently offers services in more than one of the sectors be allowed five years to divest itself of operations in more than one sector and where one corporate entity owns more than twenty-five per cent of the shares in other corporate entities operating in more than one of the sectors, relations between such entities shall be at arm's length;
  3. That funeral service establishments may act as agents for monument building firms in rural areas where the Board of Bereavement Services establishes that a consumer need exists and where there is no monument building firm willing to establish in such rural areas;
  4. That the ownership of any proprietorship, partnership or corporate entity involved in the provision of bereavement services must be fully disclosed to the public, including the names of all shareholders in a corporate entity who hold more than ten per cent of the shares in such entity;
  5. That no funeral service facility be allowed on the grounds of, or adjoining the grounds of, a cemetery;
  6. That for the purpose of provincial business and corporate income taxation, as well as for the purpose of municipal property taxation, cemeteries be categorized as either non-profit or commercial and that those categorized as non-profit be exempt from income and property tax and those categorized as commercial be subject to income taxation and to property taxation on all lands less each grave space occupied by a deceased person;
  7. That funeral services be sold only by a licensed funeral director through a licensed funeral service establishment, cemetery services be sold only by a licensed cemeterian through a licensed cemetery and upright monument services be sold only by a licensed monument builder through a licensed monument building firm; and
  8. That there be no telephone or door-to-door solicitation of funeral, cemetery or monument services. *December 14, 1987.*
12. *Mr Runciman—Resolution—*That, in the opinion of this House, recognizing that there have been twenty-eight bank branch closures across Ontario between 1982 and 1986 which have left many small communities without adequate banking services, the Government of Ontario should review all requests for satellite banking services and establish Province of Ontario

Savings Offices in those areas where population levels demonstrate a need for them and where financial benefit can be determined. *December 15, 1987.*

13. *Mr Sterling*—Resolution—That, in the opinion of this House, recognizing the devastating and lethal impact of tobacco on the health of our citizenry, and recognizing the tobacco industry's attempt to advertise in a manner designed to undermine the health warnings of its hazardous product, the Government of Ontario should pursue every opportunity to express its support for the Federal Government's initiative, Bill C-51, the *Tobacco Products Control Act*, An Act to prohibit the advertising and promotion and respecting the labelling and monitoring of tobacco products. *December 15, 1987.*
19. *Mr Swart*—Resolution—That, in the opinion of this House, recognizing the need for the expansion of hospital beds and related facilities in scores of communities across the province, and given the undesirability of using the regressive property tax system for funding such construction or renovation, the Lieutenant Governor-in-Council should amend Ontario Regulation 859 under the Public Hospitals Act which now limits provincial contributions to a ceiling of two thirds (five sixths on the North)—a ceiling seldom reached—to allow the provincial contribution to be 100% of the costs. *April 7, 1988.*
20. *Mr Cooke* (Windsor-Riverside)—Resolution—That, in the opinion of this House, recognizing that the scope and recommendations of the Task Force on Inflation Protection for Employment Pension Plans failed to meet the concerns of workers and most particularly retirees whose pensions have already been eroded by inflation but who will get nothing from these proposals, this Legislature strongly urges the Government of Ontario to:
  - introduce legislation to require indexation of all pensions with the same indexing formula applicable to current plan members, current pensioners and those entitled to a deferred pension.
  - place an immediate moratorium on the use of contribution holidays which are, in fact just another means of surplus withdrawals. *April 13, 1988.*
- 21 and 22. *Debated April 21, 1988.*
23. *Mr Runciman*—Resolution—That, in the opinion of this House, the Premier of Ontario should institute a system whereby any supplementary appropriations approved by Management Board of Cabinet are referred within 15 days of approval to the Standing Committee on Public Accounts for its consideration. *April 18, 1988.*
24. *Mr Johnston* (Scarborough West)—Resolution—That, in the opinion of this House, the time has come for a major overhaul of provincial policies and practices concerning the education of deaf people in the province of Ontario. The House, therefore, makes the following recommendations:

1. That a thorough evaluation of deaf students throughout Ontario begin immediately, such an evaluation to include, but not be limited to the following:
  - a) an assessment of the reasons for the current quality of education provided to deaf students, which research shows provides few graduates of Ontario schools for the deaf and secondary schools with a greater than Grade 4 reading ability;
  - b) the effectiveness of current teaching methods for deaf students, which do not require the involvement of experts in deaf education when individual assessment of the capabilities of deaf children is made;
  - c) the effectiveness of present classroom integration policies and support services as a result of Bill 82 (Special Education), which do not provide for paying the costs of interpreters;
  - d) the practices of hiring deaf and hearing-impaired teachers both in schools for the deaf and in the public school systems, as there are now just 8 hearing-impaired teachers among the 170 teachers in our provincial schools for the deaf, and only a handful of hearing-impaired teachers among the more than 500 teachers of the deaf in the public school system;
  - e) an assessment of the provincial schools for the deaf, including their administration, public accountability and organization, since provincial schools for the deaf lack a system of public accountability, and since only one of the three schools possesses an advisory committee (that is itself appointed totally at the discretion of the superintendent of the school), and since the three schools among themselves do not use a common sign language system;
  - f) an examination of the use of American Sign Language as a language of instruction in the schools, which is now not recognized as either a heritage language or a language of instruction, and
  - g) an assessment of the Ministry of Education's role as it pertains to deaf education, an investigation into the fact that no Ontario faculty of education currently provides teacher training for the teaching of deaf students, and an assessment of the Ministry's mandate to collect province-wide data generally on issues regarding the quality, assessment, effectiveness, and success of the teaching of deaf students in Ontario.
2. That the Ministry of Education take immediate steps to involve representatives of the deaf community, advocates for the hearing-impaired and parents of deaf children in all levels of the decision-making process around education for deaf people in Ontario.

3. That the Ministry of Education immediately establish targets and timetables for the hiring of deaf teachers and administrators in schools for the deaf.
  4. That the Ministry of Education report to the Legislature by November 1, 1988 on these initiatives. *April 25, 1988.*
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## QUESTIONS

*(Questions are to appear on the day after they are tabled and on every subsequent day in the week they are tabled and then subsequently only on each Monday until an Answer (other than an Interim Answer) is tabled. A question tabled on a Thursday will appear on each day of the following week.)*

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31. *Mr Cousens*—Enquiry of the Ministry—Would the Attorney General provide a list of the requests for legal advice made by the Government of Ontario to the legal firm of Blake Cassels since May of 1985 and the resultant billings from this legal work. *December 3, 1987. Interim Answer* tabled December 14, 1987. Approximate date information available January 29, 1988.
  
67. *Mr Harris*—Enquiry of the Ministry—Would each Minister provide a list of those persons who have left their communications branch since June 1985, what the position was and whether that position has been filled. *December 9, 1987. Interim Answer* tabled December 29, 1987. Approximate date information available March 31, 1988.
  
68. *Mr Harris*—Enquiry of the Ministry—Would each Minister provide a list of those persons who have joined their communications branch since June 1985, what positions they have been hired for, what is the salary range for the position, was there an open or internal competition for the position and what advertising for the position took place. *December 9, 1987. Interim Answer* tabled December 29, 1987. Approximate date information available March 31, 1988.
  
69. *Mr Philip* (Etobicoke-Rexdale)—Enquiry of the Ministry—Would each Minister inform the House of the following: (1) the cost of the annual report for the last 3 fiscal years; (2) the breakdown of the component costs of the annual report such as design, layout and printing; (3) the cost of work contracted out and work done by ministry staff; (4) the number of copies printed; (5) a list of all outside contracts; (6) which contracts were tendered and supply a detailed description of the tendering process; and (7) in the case of any contract not tendered the reasons for not tendering. *December 10, 1987. Interim Answer* tabled December 22, 1987. Approximate date information available May 16, 1988.
  
71. *Mr McLean*—Enquiry of the Ministry—Would the Minister of Government Services provide the cost for the new furniture and televisions for the office of all Ministers and their staff, as well as all members of the Legislature since June of 1985. *December 15, 1987. Interim Answer* tabled December 29, 1987. Approximate date information available February 29, 1988.
  
72. *Mr McLean*—Enquiry of the Ministry—Would the Minister of Government Services provide the names and the costs of the two lowest tenders for supplying furniture and televisions for the offices of all Ministers and their staff, as well as all members of the Legislature since June of 1985 and pro-

vide the name of the one that received the contract. *December 15, 1987. Interim Answer* tabled December 29, 1987. Approximate date information available February 29, 1988.

78. *Mr Brandt*—Enquiry of the Ministry—Would each Minister table a list of all public opinion polls which have been commissioned since June 1985, the cost of conducting the survey, the date the survey will be or was completed, and the date the survey was or will be released. *January 7, 1988. Interim Answer* tabled February 8, 1988. Approximate date information available April 15, 1988.
80. *Mr Brandt*—Enquiry of the Ministry—Would each Minister provide a list of all reports prepared for, or commissioned by, the Ministry with respect to free trade, which have yet to be released, indicating the author(s) of the reports, the dates the reports were completed, and the reasons why the reports have not been made public. *January 7, 1988. Interim Answer* tabled February 11, 1988. Approximate date information available April 15, 1988.
81. *Mr Brandt*—Enquiry of the Ministry—Would each Minister table all reports prepared for, or commissioned by, the Ministry with respect to free trade that have been withheld from the public of Ontario. *January 7, 1988. Interim Answer* tabled February 11, 1988. Approximate date information available April 15, 1988.
82. *Mr Brandt*—Enquiry of the Ministry—Would the Minister of Industry, Trade and Technology provide a list of all reports to which he referred in responding to my initial question in the Legislature on Wednesday, January 6, 1988, indicating the author(s) of the reports, the dates the reports were completed, and the reasons why the reports have not been made public. *January 7, 1988. Interim Answer* tabled February 11, 1988. Approximate date information available April 15, 1988.
85. *Mr Brandt*—Enquiry of the Ministry—Would the Minister of Industry, Trade and Technology table the reports to which he referred in responding to my initial question in the Legislature on Wednesday, January 6, 1988. *January 7, 1988. Interim Answer* tabled February 11, 1988. Approximate date information available April 15, 1988.
89. *Mr Cousens*—Enquiry of the Ministry—Would the Minister of Housing provide a breakdown, by municipality, of the number of assisted housing units available in Ontario, which of these are funded through, Federal, Provincial or Municipal programs and the dollar level of funding. *February 9, 1988.*
90. *Mr Cousens*—Enquiry of the Ministry—Would the Minister of Housing indicate how many new assisted housing units have been announced since she became Minister and how many of these will be ready for occupation by December 31, 1988. *February 9, 1988.*

91. *Mr Cousens*—Enquiry of the Ministry—Would the Minister of Housing provide a breakdown, by municipality, of the waiting list for assisted Housing in the Province. *February 9, 1988.*
92. *Mr Cousens*—Enquiry of the Ministry—Would the Minister of Housing provide an analysis of the number of individuals who will be added to the assisted housing waiting lists as a result of her announcement that low income singles and couples without children will be eligible for assisted housing. *February 9, 1988.*
97. *Mr Breaugh*—Enquiry of the Ministry—Would the Minister of Government Services list all lands owned by the provincial government and its agencies within the boundaries of Metropolitan Toronto, the Regional Municipality of Peel, the Regional Municipality of York, and the Regional Municipality of Durham. *April 5, 1988.*
98. *Mr Rae*—Enquiry of the Ministry—Would the Minister of Health provide the following information: (1) How many paid intern positions in public teaching hospitals have been set in Ontario for 1986, 1987, 1988. (2) How many residency positions in public teaching hospitals have been set in Ontario for 1986, 1987, 1988. (3) What are the average hours worked (a) in a week; and (b) in a month by (i) residents in public teaching hospitals; (ii) interns in public teaching hospitals; (iii) registered nurses; and (iv) other staff. *April 5, 1988.*
100. *Mr McLean*—Enquiry of the Ministry—Would the Minister of Tourism and Recreation explain the purpose of his recent trip to Calgary, Alberta, during the 15th Winter Olympic Games and provide the following information: the cost of the trip; how many people accompanied the Minister and who they were; the cost for limousine services; the cost for receptions held by the Minister and who they were for. *April 6, 1988. Interim Answer tabled April 21, 1988. Approximate date information available May 6, 1988.*
101. *Mr Cooke (Windsor-Riverside)*—Enquiry of the Ministry—Would the Chairman of Management Board of Cabinet provide the House with a list of all communities in Ontario where provincial government jobs are located, the number of provincial government employees in each of these communities and which ministry of government they work for. *April 7, 1988.*
102. *Mr Wiseman*—Enquiry of the Ministry—Would the Minister of Health provide the following information: since June of 1985 how much money has been allocated annually to both private and non-profit nursing homes. As well, please provide the number of beds which have been opened up in both types of institutions. *April 13, 1988.*
103. *Mrs Cunningham*—Enquiry of the Ministry—Would the Minister of Skills Development provide a complete financial report on the Summer Experience '88 program including a breakdown of all administrative and advertising costs including, how many Experience '88 guide books were printed, at what cost, who they were distributed to and when. *April 14, 1988.*



104. *Mrs Cunningham*—Enquiry of the Ministry—Would the Minister of Skills Development provide a detailed report on the number of applications received under the Summer Experience '88 program as of the close of applications on April 8, 1988. *April 14, 1988.*
105. *Mrs Cunningham*—Enquiry of the Ministry—Would the Minister of Skills Development provide a complete financial report on the Ontario Summer Employment Program including; how many guideline booklets were printed, at what cost, who they were distributed to and when. *April 14, 1988.*
106. *Mrs Cunningham*—Enquiry of the Ministry—Would the Minister of Skills Development provide a complete financial report on the "Work, Training & Business Opportunities for young people" folder delivered to Members offices during the week of April 4, 1988 including a breakdown of all production and administrative costs, how many folders were printed, at what cost, who they were distributed to and when. *April 14, 1988.*
107. *Mr McLean*—Enquiry of the Ministry—Would the Minister of Natural Resources provide a list of all Ministers and their staff, other Ministry staff, as well as their families and friends, who have used government-owned, or leased, aircraft during the period August 1, 1987 to December 31, 1987, inclusive. *April 19, 1988.*
108. *Mr Runciman*—Enquiry of the Ministry—Will the Minister of Health inform the House if the article in the April 8, 1988, edition of the Ottawa Citizen indicating that the Royal Ottawa Hospital is overcrowded and is forced to turn away many needing psychiatric help, was accurate or not and if not, why not, and if overcrowding is occurring at the Royal Ottawa, will the Minister explain why the Brockville Psychiatric Hospital with 112 vacant beds as of April 15, 1988, is not being utilized to relieve the Ottawa situation. *April 20, 1988.*
109. *Mr Runciman*—Enquiry of the Ministry—Will the Minister of Health indicate whether or not she supports having labour representation on psychiatric hospital community advisory boards and, if not, why not. If yes, will the Minister ensure that labour representatives are appointed to *all* community advisory boards as soon as possible. *April 20, 1988.*
110. *Mr Runciman*—Enquiry of the Ministry—Will the Minister of Health indicate if any expansion of forensic facilities, perhaps a minimum security facility, is being contemplated for the Brockville Psychiatric Hospital. If yes, when will such expansion take place. *April 20, 1988.*
111. *Mr Runciman*—Enquiry of the Ministry—Will the Minister of Health inform the House if she is prepared to ensure the involvement of labour representatives in all future psychiatric hospital accreditation programs. If not, why not. *April 20, 1988.*
112. *Mr Runciman*—Enquiry of the Ministry—Will the Minister of Health inform the House whether or not she feels it is appropriate that organized labour does not have a representative on the Lanark-Leeds-Grenville District



Health Council. If yes, why, and, if not, will she move as soon as possible to remedy the situation. *April 20, 1988.*

113. *Mr Runciman*—Enquiry of the Ministry—Will the Minister of Health advise the House if OPSEU will be represented on your internal study team reviewing the day pass release program for psychiatric forensic patients, and the St. Thomas incident, that resulted in the assault on a 14 year-old girl. If not, why not. *April 20, 1988.*
114. *Mr Runciman*—Enquiry of the Ministry—Will the Minister of Health indicate the number of patient actions that have occurred at the Brockville Psychiatric Hospital since 1984. *April 20, 1988.*
115. *Mr Runciman*—Enquiry of the Ministry—Will the Minister of Health indicate the number of open versus closed job competitions at the Brockville Psychiatric Hospital since the introduction of “Strategies for Renewal”. *April 20, 1988.*
116. *Mr Runciman*—Enquiry of the Ministry—Will the Minister of Health indicate the number of grievances that have been filed at the Brockville Psychiatric Hospital since 1984 and how this compares with other psychiatric facilities in the Province. *April 20, 1988.*
117. *Mrs Grier*—Enquiry of the Ministry—Would the Minister of Municipal Affairs provide reasons for his decision, given in a letter from him to interested parties, dated February 18, 1988, to vary the recommendation of a hearing officer, appointed under the provisions of Niagara Escarpment Planning and Development Act, on a development permit to allow the demolition and re-construction of a bridge on the 4th Line Road, Township of Mono, Dufferin County, located in the “Escarpment Natural Area” designation of the Niagara Escarpment Plan. *April 20, 1988.*
118. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Housing provide a copy of the log book filed at the Toronto district office of the Central Region, such log book to list every landlord application filed under section 73 or section 74 of the *Residential Rent Regulation Act*, and to detail the following information for each application: the application number, the street name, the street number, the unit numbers (in the case of individual unit applications), the date the application was received by the Toronto district office, and the requested increase reflected as a percentage of the total rent. *April 20, 1988.*
119. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Housing state whether or not her Ministry has amended the forms used to inform tenants of orders for rent increases made under section 73 or section 74 of the *Residential Rent Regulation Act*, so that those forms now reflect the increases awarded not only in dollars but also as percentages of the total rent, and, if the forms have been amended in this fashion, would the Minister provide copies thereof. *April 20, 1988.*
120. *Mr Runciman*—Enquiry of the Ministry—Will the Minister of Government Services outline why the bid by Microtel to supply a new telephone system

for the Brockville Psychiatric Hospital was unsuccessful. Is the Minister aware that Microtel offered to contribute, free of charge, the switch for this system. Will the Minister confirm that the administrator for the Brockville Psychiatric Hospital was part of the evaluation team that recommended the Omni system. *April 20, 1988.*

121. *Mr Cousens*—Enquiry of the Ministry—Would the Minister of Transportation provide a financial budget for the construction of Highway 407 that will be allocated for construction in fiscal year 1988-1989, and give some indications as to when 407 will intersect with Yonge Street and Highway 404. What are the long term plans for Highway 407. When will the highway be built from highways 404 to 427. What plans are there to extend 407 east of 404 and when could this construction begin. *April 25, 1988.*
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## PRIVATE MEMBERS' BUSINESS TO BE DEBATED

*(Precedence in accordance with the Standing Order 71 (d).)*

Ballot Items Nos. 15 and 16—*Debated April 21, 1988.*

Ballot Item No. 17—*To be debated on Thursday, April 28, 1988.*

*Mr Cooke* (Windsor-Riverside)—Resolution—That, in the opinion of this House, recognizing that the scope and recommendations of the Task Force on Inflation Protection for Employment Pension Plans failed to meet the concerns of workers and most particularly retirees whose pensions have already been eroded by inflation but who will get nothing from these proposals, this Legislature strongly urges the Government of Ontario to:

- introduce legislation to require indexation of all pensions with the same indexing formula applicable to current plan members, current pensioners and those entitled to a deferred pension.
- place an immediate moratorium on the use of contribution holidays which are, in fact just another means of surplus withdrawals.

Ballot Item No. 20—*To be debated on Thursday, May 5, 1988.*

*Mr Johnston* (Scarborough West)—Resolution—That, in the opinion of this House, the time has come for a major overhaul of provincial policies and practices concerning the education of deaf people in the province of Ontario. The House, therefore, makes the following recommendations:

1. That a thorough evaluation of deaf students throughout Ontario begin immediately, such an evaluation to include, but not be limited to the following:
  - a) an assessment of the reasons for the current quality of education provided to deaf students, which research shows provides few graduates of Ontario schools for the deaf and secondary schools with a greater than Grade 4 reading ability;
  - b) the effectiveness of current teaching methods for deaf students, which do not require the involvement of experts in deaf education when individual assessment of the capabilities of deaf children is made;
  - c) the effectiveness of present classroom integration policies and support services as a result of Bill 82 (Special Education), which do not provide for paying the costs of interpreters;
  - d) the practices of hiring deaf and hearing-impaired teachers both in schools for the deaf and in the public school systems, as there are now just 8 hearing-impaired teachers among the 170 teachers in our provincial schools for the deaf, and only a handful of hear-

ing-impaired teachers among the more than 500 teachers of the deaf in the public school system;

- e) an assessment of the provincial schools for the deaf, including their administration, public accountability and organization, since provincial schools for the deaf lack a system of public accountability, and since only one of the three schools possesses an advisory committee (that is itself appointed totally at the discretion of the superintendent of the school), and since the three schools among themselves do not use a common sign language system;
  - f) an examination of the use of American Sign Language as a language of instruction in the schools, which is now not recognized as either a heritage language or a language of instruction, and
  - g) an assessment of the Ministry of Education's role as it pertains to deaf education, an investigation into the fact that no Ontario faculty of education currently provides teacher training for the teaching of deaf students, and an assessment of the Ministry's mandate to collect province-wide data generally on issues regarding the quality, assessment, effectiveness, and success of the teaching of deaf students in Ontario.
2. That the Ministry of Education take immediate steps to involve representatives of the deaf community, advocates for the hearing-impaired and parents of deaf children in all levels of the decision-making process around education for deaf people in Ontario.
  3. That the Ministry of Education immediately establish targets and timetables for the hiring of deaf teachers and administrators in schools for the deaf.
  4. That the Ministry of Education report to the Legislature by November 1, 1988 on these initiatives.

Ballot Item No. 26—*To be debated on Thursday, May 26, 1988.*

*Second Reading* of Bill 12, An Act to ban Sunday racing and intertrack wagering at Greenwood Raceway and to change the composition and procedures of the Ontario Racing Commission. *Ms Bryden.*

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## BILLS REFERRED TO STANDING COMMITTEES

### STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Bill Pr1, An Act respecting Canada Christian College and School of Graduate Theological Studies. *Mr Allen. (Referred November 18, 1987.)*

Bill Pr2, An Act to revive Big Cedar Association. *Mr Owen. (Referred February 8, 1988.)*

Bill Pr4, An Act respecting The Ottawa Civil Service Recreational Association. *Mr Chiarelli. (Referred November 16, 1987.)*

Bill Pr5, An Act respecting The Chartered Institute of Marketing Management of Ontario. *Ms Hart. (Referred February 8, 1988.)*

Bill Pr7, An Act respecting the Driving School Association of Ontario. *Mr Ferraro. (Referred November 9, 1987.)*

Bill Pr11, An Act to revive L F P Management Limited. *Mrs Fawcett. (Referred April 12, 1988.)*

Bill Pr16, An Act respecting the City of Toronto. *Mr Kanter. (Referred December 8, 1987.)*

Bill Pr19, An Act respecting the City of Sudbury. *Mr Campbell. (Referred April 12, 1988.)*

Bill Pr24, An Act respecting the Hamilton Civic Hospitals. *Ms Collins. (Referred December 7, 1987.)*

Bill Pr25, An Act respecting Kingsway General Insurance Company. *Mr Cousens. (Referred December 9, 1987.)*

Bill Pr27, An Act respecting the Ontario Municipal Management Institute. *Mr Campbell. (Referred December 22, 1987.)*

Bill Pr28, An Act to revive Mid-Continent Bond Corporation, Limited. *Mr Ray (Windsor-Walkerville). (Referred April 6, 1988.)*

Bill Pr29, An Act respecting The United Church of Canada and The Canada Conference The Evangelical United Brethren Church. *Mr Epp. (Referred February 8, 1988.)*

Bill Pr30, An Act respecting The General Hospital of Port Arthur. *Mr Kozyra. (Referred December 3, 1987.)*

Bill Pr34, An Act to revive Machin Mines Limited. *Mr Kanter. (Referred February 9, 1988.)*

Bill Pr37, An Act respecting the University of Western Ontario. *Mr Reycraft. (Referred December 22, 1987.)*

Bill Pr38, An Act to revive Prow Yellowknife Gold Mines Ltd. *Mr Kanter. (Referred February 9, 1988.)*

Bill Pr40, An Act respecting the City of Trenton. *Mrs Fawcett. (Referred April 12, 1988.)*

Bill Pr49, An Act to revive Lebon Gold Mines Limited. *Mr Kanter. (Referred February 8, 1988.)*

Bill Pr56, An Act respecting the City of Toronto. *Mr Kanter. (Referred November 30, 1987.)*

Bill Pr67, An Act respecting the City of Hamilton. *Mr Charlton. (Referred December 3, 1987.)*

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## STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Bill 13, An Act respecting Environmental Rights in Ontario. *Mrs Grier. (Referred December 10, 1987.)*

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## STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Bill 50, An Act to provide for Community Mental Health Services. *Mr Reville. (Referred December 17, 1987.)*

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## MATTERS REFERRED TO SELECT COMMITTEES

### SELECT COMMITTEE ON EDUCATION

Consider and report on the role of the formal elementary and secondary school system in the successful transition of young students to adulthood in Ontario. *(Referred by Order of the House on February 11, 1988.)*

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### SELECT COMMITTEE ON ENERGY

Consider and report on Ontario Hydro Affairs. *(Referred by Order of the House on February 11, 1988.)*

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## SELECT COMMITTEE ON CONSTITUTIONAL REFORM

Consider and report on the 1987 Constitutional Accord (Sessional Paper No. 74), and matters related thereto. (*Referred by Order of the House on November 30, 1987.*)

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## MATTERS REFERRED TO STANDING COMMITTEES

*(In accordance with the Standing Orders, statutory annual reports of each ministry and of all agencies, boards and commissions reporting to each Minister for the immediate past reporting period stand permanently referred to the appropriate Standing Committees.)*

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## STANDING COMMITTEE ON FINANCE AND ECONOMIC AFFAIRS

Consider and report on the Canada-U.S. Free Trade Agreement (Sessional Paper Number 108). (*Referred by Order of the House on January 7, 1988.*)

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## STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Consider and report on Safety in Ontario Mines. (*Referred by Order of the House on January 7, 1988.*)

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## COMMITTEE MEETINGS

The Standing Committee on Finance and Economic Affairs will meet to consider the Free Trade Agreement as follows:

Thursday, 28 April	10.00 a.m.	Room No. 1
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The Standing Committee on General Government will meet for the purpose of organization as follows:

Thursday, 28 April	10.30 a.m.	Room No. 228
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The Standing Committee on Government Agencies will meet as follows:

Wednesday, 27 April	10.00 a.m. <i>in camera</i>	Room No. 230
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The Standing Committee on the Legislative Assembly will meet to consider matters relating to the Freedom of Information and Individual Privacy Act as follows:

Wednesday, 27 April	5.00 p.m.	Room No. 228
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The Standing Committee on the Ombudsman will meet to consider the 1986-1987 Annual Report of the Ombudsman as follows:

Wednesday, 27 April	9.30 a.m.	Room No. 228
to meet with the British House of Commons Select Committee on the Parliamentary Commissioner for Administration		
	10.30 a.m.	Room No. 1
to consider the 1986-1987 Annual Report of the Ombudsman		

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The Standing Committee on Public Accounts will meet to review the 1987 Annual Report of the Provincial Auditor as follows:

Thursday, 28 April	10.00 a.m.	Room No. 151
Section 4.4		
Ministry of Colleges and Universities		

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The Standing Committee on Regulations and Private Bills will meet to consider the regulatory process as follows:

Wednesday, 27 April	10.00 a.m. <i>in camera</i>	Room No. 2
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The Standing Committee on Resources Development will meet to consider accidents and fatalities in Ontario mines as follows:

Today	following Routine Proceedings	Room No. 1
Wednesday, 27 April	following Routine Proceedings <i>in camera</i>	Room No. 1
Thursday, 28 April	following Routine Proceedings <i>in camera</i>	Room No. 1

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The Select Committee on Constitutional Reform will meet as follows:

Wednesday, 27 April	9.30 a.m. and following Routine Proceedings	Room No. 151
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## ESTIMATES

TOTAL HOURS FOR CONSIDERATION OF  
ALL ESTIMATES ..... 381 hrs., 30 mins.

### IN COMMITTEE OF SUPPLY

(Estimates to be taken in order shown)

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|---|------------------|
| 1. Lieutenant Governor,<br>Premier and Cabinet Office ..... | 7 hrs., 30 mins. |
| 2. Government Services .....                                | 7 hrs., 30 mins. |
| <i>(Includes supplementaries, Number 2)‡</i>                |                  |
| 3. Intergovernmental Affairs .....                          | 7 hrs., 30 mins. |
| 4. Management Board of Cabinet .....                        | 7 hrs., 30 mins. |
| 5. Revenue .....  | 7 hrs., 30 mins. |
| <i>(Includes supplementaries, Number 1)†</i>                |                  |
| 6. Francophone Affairs .....                                | 7 hrs., 30 mins. |

### IN STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

(Estimates to be taken in order shown)

- |   |  |
|---|--|
| 1. Treasury and Economics .....                   | <i>(Completed Tuesday, December 8, 1987)</i> |
| 2. Energy .....                                   | 5 hrs., 54 mins.                             |
| <i>(Includes supplementaries, Number 1)†</i>      |  |
| <i>(Adjourned at Vote 1301, Item 1)</i>           |  |
| 3. Attorney General .....                         | 7 hrs., 30 mins.                             |
| <i>(Includes supplementaries, Number 1)†</i>      |  |
| <i>(Includes supplementaries, Number 2)‡</i>      |  |
| 4. Consumer and Commercial Relations .....        | 7 hrs., 30 mins.                             |
| <i>(Includes supplementaries, Number 1)†</i>      |  |
| 5. Correctional Services .....                    | 7 hrs., 30 mins.                             |
| 6. Financial Institutions .....                   | 7 hrs., 30 mins.                             |
| 7. Office Responsible for<br>Native Affairs ..... | 7 hrs., 30 mins.                             |
| 8. Solicitor General .....                        | 7 hrs., 30 mins.                             |

†Supplementary Estimates Number 1 Tabled December 17, 1987.

‡Supplementary Estimates Number 2 Tabled February 9, 1988.

## IN STANDING COMMITTEE ON GENERAL GOVERNMENT

(Estimates to be taken in order shown)

1. Labour ..... 3 hrs., 06 mins.  
(Adjourned at Vote 2101, Item 1)
2. Northern Development ..... 7 hrs., 30 mins.
3. Office Responsible for  
Women's Issues ..... 7 hrs., 30 mins.

## IN STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

(Estimates to be taken in order shown)

1. Office of the Assembly ..... 5 hrs.  
(Includes supplementaries, Number 1)†
2. Office of the  
Chief Election Officer ..... 5 hrs.

## IN STANDING COMMITTEE ON THE OMBUDSMAN

(Estimates to be taken in order shown)

1. Office of the Ombudsman ..... 5 hrs.  
(Includes supplementaries, Number 1)†

## IN STANDING COMMITTEE ON PUBLIC ACCOUNTS

(Estimates to be taken in order shown)

1. Office of the Provincial Auditor .. (Completed Thursday, December 17, 1987)

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†Supplementary Estimates Number 1 Tabled December 17, 1987.

## IN STANDING COMMITTEE ON RESOURCES DEVELOPMENT

(Estimates to be taken in order shown)

1. Industry, Trade and Technology . (Completed Thursday, December 10, 1987)
2. Housing ..... (Completed Thursday, December 17, 1987)
3. Environment ..... 7 hrs., 30 mins.  
(Includes supplementaries, Number 1)†
4. Agriculture and Food ..... 7 hrs., 30 mins.  
(Includes supplementaries, Number 1)†
5. Mines ..... 7 hrs., 30 mins.
6. Municipal Affairs ..... 7 hrs., 30 mins.  
(Includes supplementaries, Number 1)†  
(Includes supplementaries, Number 2)‡
7. Natural Resources ..... 7 hrs., 30 mins.  
(Includes supplementaries, Number 1)†
8. Tourism and Recreation ..... 7 hrs., 30 mins.
9. Transportation ..... 7 hrs., 30 mins.  
(Includes supplementaries, Number 1)†
10. Industry, Trade and Technology ..... —  
(Supplementaries only, Number 2)‡
11. Housing ..... —  
(Supplementaries only, Number 2)‡

†Supplementary Estimates Number 1 Tabled December 17, 1987.

‡Supplementary Estimates Number 2 Tabled February 9, 1988.



## IN STANDING COMMITTEE ON SOCIAL DEVELOPMENT

(Estimates to be taken in order shown)

1. Skills Development ..... (Completed Thursday, December 10, 1987)
2. Office for Disabled Persons ..... (Completed Thursday, December 17, 1987)
3. Education ..... 7 hrs., 30 mins.  
(Includes supplementaries, Number 2)‡
4. Office Responsible for  
Senior Citizens' Affairs ..... 7 hrs., 30 mins.
5. Citizenship ..... 7 hrs., 30 mins.
6. Colleges and Universities ..... 7 hrs., 30 mins.  
(Includes supplementaries, Number 1)†
7. Community and Social Services ..... 7 hrs., 30 mins.  
(Includes supplementaries, Number 1)†  
(Includes supplementaries, Number 2)‡
8. Culture and Communications ..... 7 hrs., 30 mins.
9. Health ..... 7 hrs., 30 mins.  
(Includes supplementaries, Number 1)†  
(Includes supplementaries, Number 2)‡
10. Skills Development ..... —  
(Supplementaries only, Number 1)†
11. Office for Disabled Persons ..... —  
(Supplementaries only, Number 1)†

†Supplementary Estimates Number 1 Tabled December 17, 1987.

‡Supplementary Estimates Number 2 Tabled February 9, 1988.



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# Orders and Notices

Legislative Assembly  
of the Province of Ontario



**1st Session, 34th Parliament**  
Tuesday, April 26, 1988

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## GOVERNMENT BILLS AND ORDERS

1. *Resuming the Adjourned Debate* on the Motion that this House approves in general the Budgetary Policy of the Government.
2. *Second Reading* Bill 4, An Act to amend the Metropolitan Toronto Police Force Complaints Act, 1984. *Mr Scott. PRINTED.*
3. *Second Reading* Bill 5, An Act to amend the Proceedings Against the Crown Act. *Mr Scott. PRINTED.*
4. *Second Reading* Bill 6, An Act to amend the Execution Act. *Mr Scott. PRINTED.*
5. *Second Reading* Bill 7, An Act to implement the Model Law on International Commercial Arbitration adopted by the United Nations Commission on International Trade Law. *Mr Scott. PRINTED.*

*Deuxième lecture* Projet de loi 7, Loi portant mise en application de la Loi type sur l'arbitrage commercial international adoptée par la Commission des Nations Unies pour le droit commercial international. *M. Scott. IMPRIMÉ.*

6. *Second Reading* Bill 9, An Act permitting Trustees and other Persons to dispose of South African investments. *Mr Scott. PRINTED.*

*Deuxième lecture* Projet de loi 9, Loi permettant aux fiduciaires et à d'autres personnes d'aliéner les placements sud-africains. *M. Scott. IMPRIMÉ.*

7. *Second Reading* Bill 15, An Act to amend the Barristers Act. *Mr Scott. PRINTED.*
8. *Second Reading* Bill 22, An Act to regulate Motor Vehicle Repairs. *Mr Wrye. PRINTED.*
9. *Second Reading* Bill 26, An Act to regulate Prepaid Services. *Mr Wrye. PRINTED.*
10. *Second Reading* Bill 27, An Act respecting Prearranged and Prepaid Funerals. *Mr Wrye. PRINTED.*
11. *Second Reading* Bill 28, An Act to amend the Funeral Services Act. *Mrs Caplan. PRINTED.*
12. *Second Reading* Bill 52, An Act to amend the Consumer Reporting Act. *Mr Wrye. PRINTED.*
13. *Second Reading* Bill 59, An Act to amend the Municipal Act and certain other Acts related to municipalities. *Mr Eakins. PRINTED.*



14. *Second Reading* Bill 66, An Act respecting Agricultural and Horticultural Organizations. *Mr Riddell.* **PRINTED.\***
15. *Second Reading* Bill 68, An Act to promote the Conservation of Certain Land. *Mr Kerrio.* **PRINTED.**
16. *Second Reading* Bill 69, An Act to amend the Education Act. *Mr Ward.* **PRINTED.**
17. *Second Reading* Bill 70, An Act to amend the Education Act. *Mr Ward.* **PRINTED.**
18. *Second Reading* Bill 76, An Act to amend the Education Act and certain other Acts related to Education. *Mr Ward.* **PRINTED.**
19. *Second Reading* Bill 78, An Act respecting the Sale of Farm Implements. *Mr Riddell.* **PRINTED.**
20. *Second Reading* Bill 82, An Act respecting Energy Efficiency. *Mr Wong.* **PRINTED.**
21. *Second Reading* Bill 83, An Act respecting the Protection of Farm Practices. *Mr Riddell.* **PRINTED.**
22. *Second Reading* Bill 84, An Act to amend the Corporations Tax Act. *Mr Grandmaître.* **PRINTED.\***
23. *Second Reading* Bill 85, An Act to amend the Mining Tax Act. *Mr Grandmaître.* **PRINTED.\***
24. *Second Reading* Bill 86, An Act to amend the Highway Traffic Act. *Mr Fulton.* **PRINTED.**
25. *Second Reading* Bill 87, An Act to amend the Ontario Highway Transport Board Act. *Mr Fulton.* **PRINTED.**
26. *Second Reading* Bill 88, An Act to regulate Truck Transportation. *Mr Fulton.* **PRINTED.**
27. *Second Reading* Bill 90, An Act respecting the United Nations Convention on Contracts for the International Sale of Goods. *Mr Scott.* **PRINTED.**

*Deuxième lecture* Projet de loi 90, Loi concernant la Convention des Nations Unies sur les contrats de vente internationale de marchandises. *M. Scott.* **IMPRIMÉ.**

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\*Lieutenant Governor's Recommendation received.

28. *Second Reading* Bill 93, An Act to revise the Justices of the Peace Act. *Mr Scott.* **PRINTED.**

*Deuxième lecture* Projet de loi 93, Loi portant révision de la Loi sur les juges de paix. *M. Scott.* **IMPRIMÉ.**

29. *Second Reading* Bill 98, An Act to amend the Public Transportation and Highway Improvement Act. *Mr Fulton.* **PRINTED.**

30. *Second Reading* Bill 99, An Act to amend the Ministry of Transportation and Communications Act. *Mr Fulton.* **PRINTED.**

31. *Second Reading* Bill 100, An Act to amend the Education Act. *Mr Ward.* **PRINTED.**

32. *Second Reading* Bill 101, An Act to repeal the Ministry of Transportation and Communications Creditors Payment Act. *Mr Fulton.* **PRINTED.**

33. *Second Reading* Bill 102, An Act to amend the Construction Lien Act, 1983. *Mr Fulton.* **PRINTED.**

34. *Second Reading* Bill 106, An Act to amend the Municipal Elections Act and the Municipal Act. *Mr Eakins.* **PRINTED.**

35. *Second Reading* Bill 107, An Act to amend the Child and Family Services Act, 1984. *Mr Sweeney.* **PRINTED.**

36. *Second Reading* Bill 108, An Act to amend the Rental Housing Protection Act, 1986. *Ms Hošek.* **PRINTED.**

37. *Second Reading* Bill 109, An Act to establish a French-language School Board for The Regional Municipality of Ottawa-Carleton. *Mr Ward.* **PRINTED.**

*Deuxième lecture* Projet de loi 109, Loi portant création d'un Conseil scolaire de langue française pour la municipalité régionale d'Ottawa-Carleton. *M. Ward.* **IMPRIMÉ.**

38. *Second Reading* Bill 113, An Act to amend the Retail Business Holidays Act. *Mrs Smith (London South).*

39. *Second Reading* Bill 114, An Act to amend the Employment Standards Act. *Mr Sorbara.*

40. *Second Reading* Bill 115, An Act to provide for Construction Work in connection with the Toronto Economic Summit. *Mr Sorbara.*

41. *Second Reading* Bill 116, An Act respecting the Northern Ontario Heritage Fund. *Mr Fontaine.*

*Deuxième lecture* Projet de loi 116, Loi concernant le Fonds patrimonial du Nord de l'Ontario. *M. Fontaine.*

42. *Second Reading* Bill 117, An Act to authorize the Raising of Money on the Credit of the Consolidated Revenue Fund. *Mr Nixon.*
  43. *Second Reading* Bill 118, An Act to amend the Financial Administration Act. *Mr Nixon.*
  44. *Second Reading* Bill 119, An Act to amend the Ontario Lottery Corporation Act. *Mr Nixon.*
  45. *Second Reading* Bill 120, An Act to amend the Tobacco Tax Act. *Mr Grandmaître.*
  46. *Second Reading* Bill 121, An Act to amend the Gasoline Tax Act. *Mr Grandmaître.*
  47. *Second Reading* Bill 122, An Act to amend the Retail Sales Tax Act. *Mr Grandmaître.*
  48. *Resuming the Adjourned Debate* on the Motion for Adoption of the Recommendations contained in the Report of the Standing Committee on the Legislative Assembly on the Service of Process within the Precincts of the House.
  49. *Concurrence in Supply* for the Ministry of Treasury and Economics.
  50. *Concurrence in Supply* for the Ministry of Skills Development.
  51. *Concurrence in Supply* for the Ministry of Industry, Trade and Technology.
  52. *Concurrence in Supply* for the Office of the Provincial Auditor.
  53. *Concurrence in Supply* for the Office for Disabled Persons.
  54. *Concurrence in Supply* for the Ministry of Housing.
  55. *House in Committee of Supply.*
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## PRIVATE MEMBERS' PUBLIC BILLS AND ORDERS

56. *Committee of the Whole House:*

Bill 24, An Act to establish a Tourism Advisory Board. *Mr McLean.* **PRINTED.**

Bill 75, An Act to establish the Municipal Council Retirement Fund and to provide Retirement Allowances to Municipal Councillors. *Mr Cureatz.* **PRINTED.**

57. *Second Reading* Bill 3, An Act to protect the Public Health and Comfort and the Environment by Prohibiting and Controlling Smoking in Public Places. *Mr Sterling.* **PRINTED.**
58. *Second Reading* Bill 8, An Act to amend the Representation Act, 1986. *Mr Villeneuve.* **PRINTED.**
59. *Second Reading* Bill 10, An Act to amend the Election Act, 1984. *Mr Cousens.* **PRINTED.**
60. *Second Reading* Bill 12, An Act to ban Sunday racing and intertrack wagering at Greenwood Raceway and to change the composition and procedures of the Ontario Racing Commission. *Ms Bryden.* **PRINTED.**
61. *Second Reading* Bill 14, An Act to protect and enhance the Quality of Drinking Water in Ontario. *Mrs Grier.* **PRINTED.**
62. *Second Reading* Bill 16, An Act to encourage the Rehabilitation of Water Delivery Systems in Ontario. *Mrs Marland.* **PRINTED.**
63. *Second Reading* Bill 17, An Act to amend the Planning Act, 1983. *Mr Johnston (Scarborough West).* **PRINTED.**
64. *Second Reading* Bill 18, An Act to provide for the Conversion of Technologies and Skills used in the Nuclear Weapons Industry to Civilian Use. *Mr Johnston (Scarborough West).* **PRINTED.**
65. *Second Reading* Bill 23, An Act to proclaim 1995 as the 150th Anniversary of the arrival of Irish Immigrants in Canada. *Mr Pollock.* **PRINTED.**
66. *Second Reading* Bill 30, An Act to amend the Pension Benefits Act. *Mr Mackenzie.* **PRINTED.**
67. *Second Reading* Bill 31, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
68. *Second Reading* Bill 32, An Act to provide for the Employment of Disabled Persons. *Mr Mackenzie.* **PRINTED.**
69. *Second Reading* Bill 33, An Act to amend the Education Act. *Mr Mackenzie.* **PRINTED.**



70. *Second Reading* Bill 34, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
71. *Second Reading* Bill 35, An Act to amend the Public Vehicles Act. *Mr Mackenzie.* **PRINTED.**
72. *Second Reading* Bill 36, An Act to provide Political Rights for Public Servants. *Mr Mackenzie.* **PRINTED.**
73. *Second Reading* Bill 37, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
74. *Second Reading* Bill 38, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
75. *Second Reading* Bill 39, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
76. *Second Reading* Bill 40, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
77. *Second Reading* Bill 41, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
78. *Second Reading* Bill 42, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
79. *Second Reading* Bill 43, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
80. *Second Reading* Bill 44, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
81. *Second Reading* Bill 45, An Act to amend the Children's Law Reform Act. *Mr Cousens.* **PRINTED.**
82. *Second Reading* Bill 47, An Act to amend the Highway Traffic Act. *Mrs Grier.* **PRINTED.**
83. *Second Reading* Bill 48, An Act to amend the Police Act. *Mr Eves.* **PRINTED.**
84. *Second Reading* Bill 49, An Act to relieve Persons from Liability in respect of voluntary Emergency Medical and First Aid Services. *Mr Haggerty.* **PRINTED.**
85. *Second Reading* Bill 53, An Act to provide for the Safety and Welfare of Crown Witnesses in Certain Criminal Proceedings. *Mr Runciman.* **PRINTED.**
86. *Second Reading* Bill 57, An Act to amend the Energy Act. *Mr Wildman.* **PRINTED.**

87. *Second Reading* Bill 60, An Act respecting the Sale of Farm Machinery and Equipment in Ontario. *Mr Wildman.* **PRINTED.**
88. *Second Reading* Bill 62, An Act to amend the Health Protection and Promotion Act, 1983. *Mr Henderson.* **PRINTED.**
89. *Second Reading* Bill 63, An Act to amend the Laboratory and Specimen Collection Centre Licensing Act. *Mr Henderson.* **PRINTED.**
90. *Second Reading* Bill 64, An Act to amend the Health Insurance Act. *Mr Henderson.* **PRINTED.**
91. *Second Reading* Bill 67, An Act to establish the East/Central Ontario Recreational Trails Commission. *Mr Pollock.* **PRINTED.**
92. *Second Reading* Bill 71, An Act to amend the Occupational Health and Safety Act. *Mr Rae (York South).* **PRINTED.**
93. *Second Reading* Bill 72, An Act respecting Simcoe Day. *Mr McLean.* **PRINTED.**
94. *Second Reading* Bill 73, An Act to amend the Public Service Superannuation Act. *Mr McLean.* **PRINTED.**
95. *Second Reading* Bill 74, An Act to amend the Legislative Assembly Retirement Allowances Act. *Mr McLean.* **PRINTED.**
96. *Second Reading* Bill 89, An Act requiring municipalities to establish Programs for the Recycling of Garbage. *Mrs Marland.* **PRINTED.**
97. *Second Reading* Bill 91, An Act to amend the Election Act. *Mr Sterling.* **PRINTED.**
98. *Second Reading* Bill 92, An Act to prevent unjust enrichment through the Financial Exploitation of Crime. *Mr Wildman.* **PRINTED.**
99. *Second Reading* Bill 94, An Act to prohibit Discrimination by Municipalities against Unrelated Persons Occupying Residential Property. *Mr Jackson.* **PRINTED.**
100. *Second Reading* Bill 95, An Act to amend the Children's Law Reform Act. *Mr Henderson.* **PRINTED.**
101. *Second Reading* Bill 96, An Act to amend the Highway Traffic Act. *Mr Wildman.* **PRINTED.**
102. *Second Reading* Bill 97, An Act to amend Human Rights Code, 1981. *Mr Reville.* **PRINTED.**
103. *Second Reading* Bill 103, An Act respecting Living Wills. *Mr Cureatz.* **PRINTED.**

104. *Second Reading* Bill 104, An Act to amend the Courts of Justice Act, 1984.  
*Mr Cureatz.* **PRINTED.**
105. *Second Reading* Bill 105, An Act to amend the Legislative Assembly Act.  
*Mr Cureatz.* **PRINTED.**
106. *Second Reading* Bill 110, An Act to declare Remembrance Day as a Holiday  
for Veterans. *Mr Henderson.* **PRINTED.**
107. *Second Reading* Bill 111, An Act to amend the Legislative Assembly Act.  
*Mr Swart.* **PRINTED.**
108. *Second Reading* Bill 112, An Act to amend the Legislative Assembly Act.  
*Mr Epp.* **PRINTED.**
109. *Second Reading* Bill 123, An Act for Informed Choice by Patients. *Mr  
Dietsch.*

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#### PRIVATE BILLS

110. *Second Reading* Bill Pr5, An Act respecting The Chartered Institute of Mar-  
keting Management of Ontario. *Ms Hart.* **PRINTED.**
111. *Second Reading* Bill Pr10, An Act respecting the Oshawa Public Utilities  
Commission. *Mr Breaugh.* **PRINTED.**
112. *Second Reading* Bill Pr22, An Act respecting the City of Mississauga. *Mr  
Offer.* **REPRINTED.**
113. *Second Reading* Bill Pr27, An Act respecting the Ontario Municipal Manage-  
ment Institute. *Mr Campbell.* **PRINTED.**
114. *Second Reading* Bill Pr29, An Act respecting The United Church of Canada  
and The Canada Conference The Evangelical United Brethren Church.  
*Mr Epp.* **PRINTED.**
115. *Second Reading* Bill Pr37, An Act respecting the University of Western  
Ontario. *Mr Reycraft.* **PRINTED.**
116. *Second Reading* Bill Pr62, An Act respecting The Windsor Utilities  
Commission. *Mr Ray (Windsor-Walkerville).* **PRINTED.**
117. *Second Reading* Bill Bill Pr67, An Act respecting the City of Hamilton. *Mr  
Charlton.* **PRINTED.**
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## NOTICES

### GOVERNMENT MOTIONS

6. *Mr. Peterson*—Resolution—WHEREAS the *Constitution Act, 1982* came into force on April 17, 1982, following an agreement between Canada and all the provinces except Quebec;

AND WHEREAS the Government of Quebec has established a set of five proposals for constitutional change and has stated that amendments to give effect to those proposals would enable Quebec to resume a full role in the constitutional councils of Canada;

AND WHEREAS the amendment proposed in the schedule hereto sets out the basis on which Quebec's five constitutional proposals may be met;

AND WHEREAS the amendment proposed in the schedule hereto also recognizes the principle of the equality of all the provinces, provides new arrangements to foster greater harmony and cooperation between the Government of Canada and the governments of the provinces and requires that conferences be convened to consider important constitutional, economic and other issues;

AND WHEREAS certain portions of the amendment proposed in the schedule hereto relate to matters referred to in section 41 of the *Constitution Act, 1982*;

AND WHEREAS section 41 of the *Constitution Act, 1982* provides that an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and the House of Commons and of the legislative assembly of each province;

NOW THEREFORE the Legislative Assembly of Ontario resolves that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by Her Excellency the Governor General under the Great Seal of Canada in accordance with the schedule hereto.

### SCHEDULE

#### CONSTITUTION AMENDMENT, 1987

##### *Constitution Act, 1867*

1. The *Constitution Act, 1867* is amended by adding thereto, immediately after section 1 thereof, the following section:

Inter-  
pretation

- “2. (1) The Constitution of Canada shall be interpreted in a manner consistent with

- (a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present elsewhere



in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada; and

(b) the recognition that Quebec constitutes within Canada a distinct society.

Role of  
Parliament  
and  
legislatures

(2) The role of the Parliament of Canada and the provincial legislatures to preserve the fundamental characteristic of Canada referred to in paragraph (1)(a) is affirmed.

Role of  
legislature  
and  
Government  
of Quebec

(3) The role of the legislature and Government of Quebec to preserve and promote the distinct identity of Quebec referred to in paragraph (1)(b) is affirmed.

Rights of  
legislatures  
and  
governments  
preserved

(4) Nothing in this section derogates from the powers, rights or privileges of Parliament or the Government of Canada, or of the legislatures or governments of the provinces, including any powers, rights or privileges relating to language.”

2. The said Act is further amended by adding thereto, immediately after section 24 thereof, the following section:

Names to be  
submitted

“25. (1) Where a vacancy occurs in the Senate, the Government of the province to which the vacancy relates may, in relation to that vacancy, submit to the Queen’s Privy Council for Canada the names of persons who may be summoned to the Senate.

Choice of  
Senators  
from names  
submitted

(2) Until an amendment to the Constitution of Canada is made in relation to the Senate pursuant to section 41 of the *Constitution Act, 1982*, the person summoned to fill a vacancy in the Senate shall be chosen from among persons whose names have been submitted under subsection (1) by the government of the province to which the vacancy relates and must be acceptable to the Queen’s Privy Council for Canada.”

3. The said Act is further amended by adding thereto, immediately after section 95 thereof, the following heading and sections:

### *“Agreements on Immigration and Aliens*

Commitment  
to negotiate

95A. The Government of Canada shall, at the request of the government of any province, negotiate with the government of that province for the purpose of concluding an agreement relating to immigration or the temporary admission of aliens into that province that is appropriate to the needs and circumstances of that province.

## Agreements

**95B.** (1) Any agreement concluded between Canada and a province in relation to immigration or the temporary admission of aliens into that province has the force of law from the time it is declared to do so in accordance with subsection 95C(1) and shall from that time have effect notwithstanding class 25 of section 91 or section 95.

## Limitation

(2) An agreement that has the force of law under subsection (1) shall have effect only so long and so far as it is not repugnant to any provision of an Act of the Parliament of Canada that sets national standards and objectives relating to immigration or aliens, including any provision that establishes general classes of immigrants or relates to levels of immigration for Canada or that prescribes classes of individuals who are inadmissible into Canada.

## Application of Charter

(3) The *Canadian Charter of Rights and Freedoms* applies in respect of any agreement that has the force of law under subsection (1) and in respect of anything done by the Parliament or Government of Canada, or the legislature or government of a province, pursuant to any such agreement.

## Proclamation relating to agreements

**95C.** (1) A declaration that an agreement referred to in subsection 95B(1) has the force of law may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement.

## Amendment of agreements

(2) An amendment to an agreement referred to in subsection 95B(1) may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized

(a) by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement; or

(b) in such other manner as is set out in the agreement.

Application of sections 46 to 48 of *Constitution Act, 1982*

**95D.** Sections 46 to 48 of the *Constitution Act, 1982* apply, with such modifications as the circumstances require, in respect of any declaration made pursuant to subsection 95C(1), any amendment to an agreement made pursuant to subsection 95C(2) or any amendment made pursuant to section 95E.

## Amendments to sections 95A to 95D or this section

**95E.** An amendment to sections 95A to 95D or this section may be made in accordance with the procedure set out in subsection 38(1) of the *Constitution Act, 1982*, but only if the amendment is authorized by resolutions of the legislative assemblies of all the provinces that are, at the time of the

amendment, parties to an agreement that has the force of law under subsection 95B(1).”

4. The said Act is further amended by adding thereto, immediately preceding section 96 thereof, the following heading:

*“General”*

5. The said Act is further amended by adding thereto, immediately preceding section 101 thereof, the following heading:

*“Courts Established by the Parliament of Canada”*

6. The said Act is further amended by adding thereto, immediately after section 101 thereof, the following heading and sections:

*“Supreme Court of Canada*

Supreme  
Court  
continued

**101A.** (1) The court existing under the name of the Supreme Court of Canada is hereby continued as the general court of appeal for Canada, and as an additional court for the better administration of the laws of Canada, and shall continue to be a superior court of record.

Constitution  
of court

(2) The Supreme Court of Canada shall consist of a chief justice to be called the Chief Justice of Canada and eight other judges, who shall be appointed by the Governor General in Council by letters patent under the Great Seal.

Who may be  
appointed  
judges

**101B.** (1) Any person may be appointed a judge of the Supreme Court of Canada who, after having been admitted to the bar of any province or territory, has, for a total of at least ten years, been a judge of any court in Canada or a member of the bar of any province or territory.

Three judges  
from Quebec

(2) At least three judges of the Supreme Court of Canada shall be appointed from among persons who, after having been admitted to the bar of Quebec, have, for a total of at least ten years, been judges of any court of Quebec or of any court established by the Parliament of Canada, or members of the bar of Quebec.

Names may  
be submitted

**101C.** (1) Where a vacancy occurs in the Supreme Court of Canada, the government of each province may, in relation to that vacancy, submit to the Minister of Justice of Canada the names of any of the persons who have been admitted to the bar of that province and are qualified under section 101B for appointment to that court.

Appointment  
from names  
submitted

(2) Where an appointment is made to the Supreme Court of Canada, the Governor General in Council shall, except

where the Chief Justice is appointed from among members of the Court, appoint a person whose name has been submitted under subsection (1) and who is acceptable to the Queen's Privy Council for Canada.

Appointment  
from Quebec

(3) Where an appointment is made in accordance with subsection (2) of any of the three judges necessary to meet the requirement set out in subsection 101B(2), the Governor General in Council shall appoint a person whose name has been submitted by the Government of Quebec.

Appointment  
from other  
provinces

(4) Where an appointment is made in accordance with subsection (2) otherwise than as required under subsection (3), the Governor General in Council shall appoint a person whose name has been submitted by the government of a province other than Quebec.

Tenure,  
salaries, etc.  
of judges

**101D.** Sections 99 and 100 apply in respect of the judges of the Supreme Court of Canada.

Relationship  
to section 101

**101E.** (1) Sections 101A to 101D shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws under section 101 except to the extent that such laws are inconsistent with those sections.

References  
to the  
Supreme  
Court of  
Canada

(2) For greater certainty, section 101A shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws relating to the reference of questions of law or fact, or any other matters, to the Supreme Court of Canada."

7. The said Act is further amended by adding thereto, immediately after section 106 thereof, the following section:

Shared-cost  
program

**"106A.** (1) The Government of Canada shall provide reasonable compensation to the government of a province that chooses not to participate in a national shared-cost program that is established by the Government of Canada after the coming into force of this section in an area of exclusive provincial jurisdiction, if the province carries on a program or initiative that is compatible with the national objectives.

Legislative  
power not  
extended

(2) Nothing in this section extends the legislative powers of the Parliament of Canada or of the legislatures of the provinces."

8. The said Act is further amended by adding thereto the following heading and sections:



“XII — CONFERENCES ON THE ECONOMY AND OTHER  
MATTERS

Conferences  
on the  
economy and  
other matters

**148.** A conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year to discuss the state of Canadian economy and such other matters as may be appropriate.

XIII — REFERENCES

Reference  
includes  
amendments

**149.** A reference to this Act shall be deemed to include a reference to any amendments thereto.”

*Constitution Act, 1982*

**9.** Sections 40 to 42 of the *Constitution Act, 1982* are repealed and the following substituted therefor:

Compensation

“**40.** Where an amendment is made under subsection 38(1) that transfers legislative powers from provincial legislatures to Parliament, Canada shall provide reasonable compensation to any province to which the amendment does not apply.

Amendment  
by  
unanimous  
consent

**41.** An amendment to the Constitution of Canada in relation to the following matters may be made by proclamation issued by the Governor General under the Great Seal of Canada only where authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province:

(a) the office of the Queen, the Governor General and the Lieutenant Governor of a province;

(b) the powers of the Senate and the method of selecting Senators;

(c) the number of members by which a province is entitled to be represented in the Senate and the residence qualifications of Senators;

(d) the right of a province to a number of members in the House of Commons not less than the number of Senators by which the province was entitled to be represented on April 17, 1982;

(e) the principle of proportionate representation of the provinces in the House of Commons prescribed by the Constitution of Canada;

(f) subject to section 43, the use of the English or the French language;

(g) the Supreme Court of Canada;

(h) the extension of existing provinces into the territories;

(i) notwithstanding any other law or practice, the establishment of new provinces; and

(j) an amendment to this Part.”

**10.** Section 44 of the said Act is repealed and the following substituted therefor:

Amendments  
by  
Parliament

“**44.** Subject to section 41, Parliament may exclusively make laws amending the Constitution of Canada in relation to the executive government of Canada or the Senate and House of Commons.”

**11.** Subsection 46(1) of the said Act is repealed and the following substituted therefor:

Initiation of  
amendment  
procedures

“**46.** (1) The procedures for amendment under sections 38, 41 and 43 may be initiated either by the Senate or the House of Commons or by the legislative assembly of a province.”

**12.** Subsection 47(1) of the said Act is repealed and the following substituted therefor:

Amendments  
without  
Senate  
resolution

“**47.** (1) An amendment to the Constitution of Canada made by proclamation under section 38, 41 or 43 may be made without a resolution of the Senate authorizing the issue of the proclamation if, within one hundred and eighty days after the adoption by the House of Commons of a resolution authorizing its issue, the Senate has not adopted such a resolution and if, at any time after the expiration of that period, the House of Commons again adopts the resolution.”

**13.** Part VI of the said Act is repealed and the following substituted therefor:

#### “PART VI

#### CONSTITUTIONAL CONFERENCES

Constitu-  
tional  
conference

**50.** (1) A constitutional conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year, commencing in 1988.

Agenda

(2) The conferences convened under subsection (1) shall have included on their agenda the following matters:

(a) Senate reform, including the role and functions of the Senate, its powers, the method of selecting Senators and representation in the Senate;

(b) roles and responsibilities in relation to fisheries; and

(c) such other matters as are agreed upon.”

**14.** Subsection 52(2) of the said Act is amended by striking out the word “and” at the end of paragraph (b) thereof, by adding the word “and” at the end of paragraph (c) thereof and by adding thereto the following paragraph:

“(d) any other amendment to the Constitution of Canada.”

**15.** Section 61 of the said Act is repealed and the following substituted therefor:

References

“**61.** A reference to the *Constitution Act, 1982*, or a reference to the *Constitution Acts 1867 to 1982*, shall be deemed to include a reference to any amendments thereto.”

*General*

Multicultural  
heritage and  
aboriginal  
people

**16.** Nothing in section 2 of the *Constitution Act, 1867* affects section 25 or 27 of the *Canadian Charter of Rights and Freedoms*, section 35 of the *Constitution Act, 1982* or class 24 of section 91 of the *Constitution Act, 1867*.

CITATION

Citation

**17.** This amendment may be cited as the *Constitution Amendment, 1987. November 24, 1987*.

M. Peterson—Résolution—

Attendu :

que la *Loi constitutionnelle de 1982* est entrée en vigueur le 17 avril 1982, à la suite d'un accord conclu entre le Canada et toutes les provinces, sauf le Québec;

que, selon le gouvernement du Québec, l'adoption de modifications visant à donner effet à ses cinq propositions de révision constitutionnelle permettrait au Québec de jouer pleinement de nouveau son rôle dans les instances constitutionnelles canadiennes;

que le projet de modification figurant en annexe présente les modalités d'un règlement relatif aux cinq propositions du Québec;

que le projet reconnaît le principe de l'égalité de toutes les provinces et prévoit, d'une part, de nouveaux arrangements propres à renforcer l'harmonie et la coopération entre le gouvernement du Canada et ceux des provinces, d'autre part la tenue de conférences consacrées à l'étude d'importantes questions constitutionnelles, économiques et autres;

que le projet porte en partie sur des questions visées à l'article 41 de la *Loi constitutionnelle de 1982*;

que cet article prévoit que la Constitution du Canada peut être modifiée par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de chaque province,

l'Assemblée législative de l'Ontario a résolu d'autoriser la modification de la Constitution du Canada par proclamation de Son Excellence le gouverneur général sous le grand sceau du Canada, en conformité avec l'annexe ci-jointe.

## ANNEXE

### MODIFICATION CONSTITUTIONNELLE DE 1987

#### *Loi constitutionnelle de 1867*

1. La *Loi constitutionnelle de 1867* est modifiée par insertion, après l'article 1, de ce qui suit:

Règle  
interprétative

«2. (1) Toute interprétation de la Constitution du Canada doit concorder avec :

a) la reconnaissance de ce que l'existence de Canadiens d'expression française, concentrés au Québec mais présents aussi dans le reste du pays, et de Canadiens d'expression anglaise, concentrés dans le reste du pays mais aussi présents au Québec, constitue une caractéristique fondamentale du Canada;



b) la reconnaissance de ce que le Québec forme au sein du Canada une société distincte.

Rôle du  
Parlement et  
des  
législatures

(2) Le Parlement du Canada et les législatures des provinces ont le rôle de protéger la caractéristique fondamentale du Canada visée à l'alinéa (1) a).

Rôle de la  
législature et  
du gouverne-  
ment du  
Québec

(3) La législature et le gouvernement du Québec ont le rôle de protéger et de promouvoir le caractère distinct du Québec visé à l'alinéa (1) b).

Maintien des  
droits des  
législatures et  
gouverne-  
ments

(4) Le présent article n'a pas pour effet de déroger aux pouvoirs, droits ou privilèges du Parlement ou du gouvernement du Canada, ou des législatures ou des gouvernements des provinces, y compris à leurs pouvoirs, droits ou privilèges en matière de langue.»

2. La même loi est modifiée par insertion, après l'article 24, de ce qui suit :

Propositions

«25. (1) En cas de vacance au Sénat, le gouvernement de la province à représenter peut proposer au Conseil privé de la Reine pour le Canada des personnes susceptibles d'être nommées au siège vacant.

Choix des  
sénateurs

(2) Jusqu'à la modification, faite conformément à l'article 41 de la *Loi constitutionnelle de 1982*, de toute disposition de la Constitution du Canada relative au Sénat, les personnes nommées aux sièges vacants au Sénat sont choisies parmi celles qui ont été proposées par le gouvernement de la province à représenter et agréées par le Conseil privé de la Reine pour le Canada.»

3. La même loi est modifiée par insertion, après l'article 95, de ce qui suit :

*«Accords relatifs à l'immigration et aux aubains*

Engagement

95A. Sur demande du gouvernement d'une province, le gouvernement du Canada négocie avec lui en vue de conclure, en matière d'immigration ou d'admission temporaire des aubains dans la province, un accord adapté aux besoins et à la situation particulière de celle-ci.

Accords

95B. (1) Tout accord conclu entre le Canada et une province en matière d'immigration ou d'admission temporaire des aubains dans la province a, une fois faite la déclaration visée au paragraphe 95C(1), force de loi et a dès lors effet indépendamment tant du point 25 de l'article 91 que de l'article 95.

## Restriction

(2) L'accord ayant ainsi force de loi n'a d'effet que dans la mesure de sa compatibilité avec les dispositions des lois du Parlement du Canada qui fixent des normes et objectifs nationaux relatifs à l'immigration et aux aubains, notamment en ce qui concerne l'établissement des catégories générales d'immigrants, les niveaux d'immigration au Canada et la détermination des catégories de personnes inadmissibles au Canada.

## Application de la Charte

(3) La *Charte canadienne des droits et libertés* s'applique aux accords ayant ainsi force de loi et à toute mesure prise sous leur régime par le Parlement ou le gouvernement du Canada ou par la législature ou le gouvernement d'une province.

## Proclamation relative aux accords

**95C.** (1) La déclaration portant qu'un accord visé au paragraphe 95B(1) a force de loi se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord.

## Modification des accords

(2) La modification d'un accord visé au paragraphe 95B(1) se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée :

a) soit par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord;

b) soit selon les modalités prévues dans l'accord même.

Application des articles 46 à 48 de la *Loi constitutionnelle de 1982*

**95D.** Les articles 46 à 48 de la *Loi constitutionnelle de 1982* s'appliquent, avec les adaptations nécessaires, à toute déclaration faite aux termes du paragraphe 95C(1), à toute modification d'un accord faite aux termes du paragraphe 95C(2) ou à toute modification faite aux termes de l'article 95E.

## Modification des articles 95A à 95D ou du présent article

**95E.** Les articles 95A à 95D ou le présent article peuvent être modifiés conformément au paragraphe 38(1) de la *Loi constitutionnelle de 1982*, à condition que la modification soit autorisée par des résolutions des assemblées législatives de toutes les provinces qui sont, à l'époque de celle-ci, parties à un accord ayant force de loi aux termes du paragraphe 95B(1).»

4. La même loi est modifiée par insertion, avant l'article 96, de ce qui suit :

## «Dispositions générales»

5. La même loi est modifiée par insertion, avant l'article 101, de ce qui suit :

«Tribunaux créés par le Parlement du Canada»

6. La même loi est modifiée par insertion, après l'article 101, de ce qui suit :

«Cour suprême du Canada

Maintien de  
la Cour  
suprême  
du Canada

**101A.** (1) La cour qui existe sous le nom de Cour suprême du Canada est maintenue à titre de cour générale d'appel pour le Canada et de cour additionnelle propre à améliorer l'application des lois du Canada. Elle conserve ses attributions de cour supérieure d'archives.

Composition

(2) La Cour suprême du Canada se compose du juge en chef, appelé juge en chef du Canada, et de huit autres juges, que nomme le gouverneur général en conseil par lettres patentes sous le grand sceau.

Conditions  
de  
nomination

**101B.** (1) Les juges sont choisis parmi les personnes qui, après avoir été admises au barreau d'une province ou d'un territoire, ont, pendant au moins dix ans au total, été juges de n'importe quel tribunal du pays ou inscrites au barreau de n'importe quelle province ou de n'importe quel territoire.

Québec :  
trois juges

(2) Au moins trois des juges sont choisis parmi les personnes qui, après avoir été admises au barreau du Québec, ont, pendant au moins dix ans au total, été inscrites à ce barreau ou juges d'un tribunal du Québec ou d'un tribunal créé par le Parlement du Canada.

Propositions  
de  
nomination

**101C.** (1) En cas de vacance à la Cour suprême du Canada, le gouvernement de chaque province peut proposer au ministre fédéral de la Justice, pour la charge devenue vacante, des personnes admises au barreau de cette province et remplissant les conditions visées à l'article 101B.

Nomination  
parmi les  
personnes  
proposées

(2) Le gouverneur général en conseil procède aux nominations parmi les personnes proposées et qui agréent au Conseil privé de la Reine pour le Canada; le présent paragraphe ne s'applique pas à la nomination du juge en chef dans les cas où il est choisi parmi les juges de la Cour suprême du Canada.

Nomination  
parmi les  
personnes  
proposées  
par le  
Québec

(3) Dans le cas de chacune de trois nominations à faire conformément au paragraphe 101B(2), le gouverneur général en conseil nomme une personne proposée par le gouvernement du Québec.

Nomination  
parmi les  
personnes  
proposées  
par les autres  
provinces

(4) Dans le cas de toute autre nomination, le gouverneur général en conseil nomme une personne proposée par le gouvernement d'une autre province que le Québec.

Inamovibilité,  
traitement,  
etc.

**101D.** Les articles 99 et 100 s'appliquent aux juges de la Cour suprême du Canada.

Rapport avec  
l'article 101

**101E.** (1) Sous réserve que ne soient pas adoptées, dans les matières visées à l'article 101, de dispositions incompatibles avec les articles 101A à 101D, ceux-ci n'ont pas pour effet de porter atteinte à la compétence législative conférée au Parlement du Canada en ces matières.

Renvois à la  
Cour  
suprême du  
Canada

(2) Il est entendu que l'article 101A n'a pas pour effet de porter atteinte à la compétence législative du Parlement du Canada en ce qui concerne le renvoi à la Cour suprême du Canada de questions de droit ou de fait, ou de toute autre question.»

7. La même loi est modifiée par insertion, après l'article 106, de ce qui suit :

Programmes  
cofinancés

«**106A.** (1) Le gouvernement du Canada fournit une juste compensation au gouvernement d'une province qui choisit de ne pas participer à un programme national cofinancé qu'il établit après l'entrée en vigueur du présent article dans un secteur de compétence exclusive provinciale, si la province applique un programme ou une mesure compatible avec les objectifs nationaux.

Non-élargis-  
sement des  
compétences  
législatives

(2) Le présent article n'élargit pas les compétences législatives du Parlement du Canada ou des législatures des provinces.»

8. La même loi est modifiée par insertion, après l'article 147, de ce qui suit :

#### «XII. — CONFÉRENCES SUR L'ÉCONOMIE ET SUR D'AUTRES QUESTIONS

Convocation

**148.** Le premier ministre du Canada convoque au moins une fois par an une conférence réunissant les premiers ministres provinciaux et lui-même et portant sur l'économie canadienne ainsi que sur toute autre question appropriée.

#### XIII. — MENTIONS

Présomption

**149.** Toute mention de la présente loi est réputée constituer également une mention de ses modifications.»

#### *Loi constitutionnelle de 1982*

9. Les articles 40 à 42 de la *Loi constitutionnelle de 1982* sont abrogés et remplacés par ce qui suit :



Compen-  
sation

«40. Le Canada fournit une juste compensation aux provinces auxquelles ne s'applique pas une modification faite conformément au paragraphe 38(1) et relative à un transfert de compétences législatives provinciales au Parlement.

Consente-  
ment  
unanime

41. Toute modification de la Constitution du Canada portant sur les questions suivantes se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de chaque province :

- a) la charge de Reine, celle de gouverneur général et celle de lieutenant-gouverneur;
- b) les pouvoirs du Sénat et le mode de sélection des sénateurs;
- c) le nombre des sénateurs par lesquels une province est habilitée à être représentée et les conditions de résidence qu'ils doivent remplir;
- d) le droit d'une province d'avoir à la Chambre des communes un nombre de députés au moins égal à celui des sénateurs par lesquels elle était habilitée à être représentée le 17 avril 1982;
- e) le principe de la représentation proportionnelle des provinces à la Chambre des communes prévu par la Constitution du Canada;
- f) sous réserve de l'article 43, l'usage du français ou de l'anglais;
- g) la Cour suprême du Canada;
- h) le rattachement aux provinces existantes de tout ou partie des territoires;
- i) par dérogation à toute autre loi ou usage, la création de provinces;
- j) la modification de la présente partie.»

10. L'article 44 de la même loi est abrogé et remplacé par ce qui suit :

Modification  
par le  
Parlement

«44. Sous réserve de l'article 41, le Parlement a compétence exclusive pour modifier les dispositions de la Constitution du Canada relatives au pouvoir exécutif fédéral, au Sénat ou à la Chambre des communes.»

11. Le paragraphe 46(1) de la même loi est abrogé et remplacé par ce qui suit :

Initiative des  
procédures

«46. (1) L'initiative des procédures de modification visées aux articles 38, 41 et 43 appartient au Sénat, à la Chambre des communes ou à une assemblée législative.»

12. Le paragraphe 47(1) de la même loi est abrogé et remplacé par ce qui suit :

Modification  
sans  
résolution du  
Sénat

«47.(1) Dans les cas visés à l'article 38, 41 ou 43, il peut être passé outre au défaut d'autorisation du Sénat si celui-ci n'a pas adopté de résolution dans un délai de cent quatre-vingts jours suivant l'adoption de celle de la Chambre des communes et si cette dernière, après l'expiration du délai, adopte une nouvelle résolution dans le même sens.»

13. La partie VI de la même loi est abrogée et remplacée par ce qui suit :

#### «PARTIE VI

#### CONFÉRENCES CONSTITUTIONNELLES

Convocation

50. (1) Le premier ministre du Canada convoque au moins une fois par an une conférence constitutionnelle réunissant les premiers ministres provinciaux et lui-même, la première devant avoir lieu en 1988.

Ordre du  
jour

(2) Sont placées à l'ordre du jour de ces conférences les questions suivantes :

a) la réforme du Sénat, y compris son rôle et ses fonctions, ses pouvoirs, le mode de sélection des sénateurs et la représentation au Sénat;

b) les rôles et les responsabilités en matière de pêches;

c) toutes autres questions dont il est convenu.»

14. Le paragraphe 52(2) de la même loi est modifié par adjonction de ce qui suit :

«d) les autres modifications qui lui sont apportées.»

15. L'article 61 de la même loi est abrogé et remplacé par ce qui suit :

Mentions

«61. Toute mention de la *Loi constitutionnelle de 1982* ou des *Lois constitutionnelles de 1867 à 1982* est réputée constituer également une mention de leurs modifications.»

*Dispositions générales*

Patrimoine  
multiculturel  
et peuples  
autochtones

16. L'article 2 de la *Loi constitutionnelle de 1867* n'a pas pour effet de porter atteinte aux articles 25 ou 27 de la *Charte canadienne des droits et libertés*, à l'article 35 de la *Loi constitutionnelle de 1982* ou au point 24 de l'article 91 de la *Loi constitutionnelle de 1867*.

## TITRE

Titre

17. Titre de la présente modification : *Modification constitutionnelle de 1987. Le 24 novembre 1987.*

10. *Mr Conway*—Resolution—That the 1987-1988 Estimates and Supplementary Estimates which have not yet been passed by the committees and reported to the House be deemed to be passed and reported to the House, and that the 1987-1988 Estimates and Supplementary Estimates be deemed to be concurred in. *April 7, 1988.*
11. *Debated April 25, 1988.*

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**MOTION OF NON-CONFIDENCE  
UNDER STANDING ORDER 70 (a)**

1. *Mr Rae* (York South)—Notice—That the Government lacks the confidence of this House because of its abject failure to provide decent, affordable housing for the working families of Ontario—in particular, through its failure to increase the supply of affordable housing; through its failure to protect the existing housing stock; and through its failure to protect tenants. *April 11, 1988.*
-

## PRIVATE MEMBERS' MOTIONS

1. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that huge rent increases year after year are constituting a threat to the competitiveness and survival of retail business in commercial strips serving residential neighbourhoods, the Government of Ontario should introduce legislation as soon as possible to regulate the rents for such business establishments in order to provide those businesses with protection from gouging landlords comparable to the protection given to tenants of residential rental premises under the Residential Rent Regulation Act, 1986. *November 10, 1987.*
2. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that part-time workers in both the public and private sector are discriminated against by the denial of many benefits and rights provided to other workers in the same establishment, a charter of rights for part-time workers should be added to both the Employment Standards Act and the Labour Relations Act to provide pro rata benefits and collective bargaining rights to such workers and that they be made eligible for severance pay and retraining and readjustment programs provided for other workers displaced by technological change in the same establishment. *November 10, 1987.*
4. *Mr Morin-Strom*—Resolution—That, in the opinion of this House, recognizing the importance of the TransCanada Highway to our nation and to our province, the government of Ontario should upgrade the TransCanada Highway to a modern four-lane system through Northern Ontario to the Manitoba border, and that the government should immediately commence design and schedule construction to ensure completion across Northern Ontario by 1997. *November 18, 1987.*
9. *Mr Wildman*—Resolution—That, in the opinion of this House, the plans of the Canada Post Corporation to close, amalgamate or franchise many rural post offices and to eliminate or tender rural route services in order to reduce its operating deficit would reduce essential mail services from many rural Ontario communities, causing severe hardship and inconvenience to rural Ontarians, particularly the elderly and disabled; the Government of Ontario should urge the Government of Canada to halt, immediately, these plans to cut service and maintain and improve rural postal services across Ontario. *December 8, 1987.*
10. *Mr Swart*—Resolution—That, in the opinion of this House, recognizing the particular desirability of the protection of consumers of bereavement services from the business practices associated with corporate concentration and the desirability of fostering and encouraging the small business sector in Ontario, the Government of Ontario should introduce legislation as soon as possible to further regulate the bereavement industry to ensure the following:
  1. That a Board of Bereavement Services, composed of representatives of the public and the various sectors and sub-sectors of the bereavement services industry, be constituted to make recommendations to



the Minister of Consumer and Commercial Relations and the Minister of Health on further reforms of the regulation of bereavement services and to act as the licensing and regulating body for funeral directors, funeral service establishments, cemeterians, cemeteries, monument builders and monument building firms;

2. That the bereavement services industry be divided into three sectors, consisting of cemeteries, funeral services and monument builders and that no proprietor, partnership or corporate entity be allowed to offer services in more than one of these sectors and that any operator who currently offers services in more than one of the sectors be allowed five years to divest itself of operations in more than one sector and where one corporate entity owns more than twenty-five per cent of the shares in other corporate entities operating in more than one of the sectors, relations between such entities shall be at arm's length;
  3. That funeral service establishments may act as agents for monument building firms in rural areas where the Board of Bereavement Services establishes that a consumer need exists and where there is no monument building firm willing to establish in such rural areas;
  4. That the ownership of any proprietorship, partnership or corporate entity involved in the provision of bereavement services must be fully disclosed to the public, including the names of all shareholders in a corporate entity who hold more than ten per cent of the shares in such entity;
  5. That no funeral service facility be allowed on the grounds of, or adjoining the grounds of, a cemetery;
  6. That for the purpose of provincial business and corporate income taxation, as well as for the purpose of municipal property taxation, cemeteries be categorized as either non-profit or commercial and that those categorized as non-profit be exempt from income and property tax and those categorized as commercial be subject to income taxation and to property taxation on all lands less each grave space occupied by a deceased person;
  7. That funeral services be sold only by a licensed funeral director through a licensed funeral service establishment, cemetery services be sold only by a licensed cemeterian through a licensed cemetery and upright monument services be sold only by a licensed monument builder through a licensed monument building firm; and
  8. That there be no telephone or door-to-door solicitation of funeral, cemetery or monument services. *December 14, 1987.*
12. *Mr Runciman*—Resolution—That, in the opinion of this House, recognizing that there have been twenty-eight bank branch closures across Ontario between 1982 and 1986 which have left many small communities without adequate banking services, the Government of Ontario should review all requests for satellite banking services and establish Province of Ontario

Savings Offices in those areas where population levels demonstrate a need for them and where financial benefit can be determined. *December 15, 1987.*

13. *Mr Sterling*—Resolution—That, in the opinion of this House, recognizing the devastating and lethal impact of tobacco on the health of our citizenry, and recognizing the tobacco industry's attempt to advertise in a manner designed to undermine the health warnings of its hazardous product, the Government of Ontario should pursue every opportunity to express its support for the Federal Government's initiative, Bill C-51, the *Tobacco Products Control Act*, An Act to prohibit the advertising and promotion and respecting the labelling and monitoring of tobacco products. *December 15, 1987.*
  
19. *Mr Swart*—Resolution—That, in the opinion of this House, recognizing the need for the expansion of hospital beds and related facilities in scores of communities across the province, and given the undesirability of using the regressive property tax system for funding such construction or renovation, the Lieutenant Governor-in-Council should amend Ontario Regulation 859 under the Public Hospitals Act which now limits provincial contributions to a ceiling of two thirds (five sixths on the North)—a ceiling seldom reached—to allow the provincial contribution to be 100% of the costs. *April 7, 1988.*
  
20. *Mr Cooke (Windsor-Riverside)*—Resolution—That, in the opinion of this House, recognizing that the scope and recommendations of the Task Force on Inflation Protection for Employment Pension Plans failed to meet the concerns of workers and most particularly retirees whose pensions have already been eroded by inflation but who will get nothing from these proposals, this Legislature strongly urges the Government of Ontario to:
  - introduce legislation to require indexation of all pensions with the same indexing formula applicable to current plan members, current pensioners and those entitled to a deferred pension.
  
  - place an immediate moratorium on the use of contribution holidays which are, in fact just another means of surplus withdrawals. *April 13, 1988.*
  
23. *Mr Runciman*—Resolution—That, in the opinion of this House, the Premier of Ontario should institute a system whereby any supplementary appropriations approved by Management Board of Cabinet are referred within 15 days of approval to the Standing Committee on Public Accounts for its consideration. *April 18, 1988.*
  
24. *Mr Johnston (Scarborough West)*—Resolution—That, in the opinion of this House, the time has come for a major overhaul of provincial policies and practices concerning the education of deaf people in the province of Ontario. The House, therefore, makes the following recommendations:

1. That a thorough evaluation of deaf students throughout Ontario begin immediately, such an evaluation to include, but not be limited to the following:
  - a) an assessment of the reasons for the current quality of education provided to deaf students, which research shows provides few graduates of Ontario schools for the deaf and secondary schools with a greater than Grade 4 reading ability;
  - b) the effectiveness of current teaching methods for deaf students, which do not require the involvement of experts in deaf education when individual assessment of the capabilities of deaf children is made;
  - c) the effectiveness of present classroom integration policies and support services as a result of Bill 82 (Special Education), which do not provide for paying the costs of interpreters;
  - d) the practices of hiring deaf and hearing-impaired teachers both in schools for the deaf and in the public school systems, as there are now just 8 hearing-impaired teachers among the 170 teachers in our provincial schools for the deaf, and only a handful of hearing-impaired teachers among the more than 500 teachers of the deaf in the public school system;
  - e) an assessment of the provincial schools for the deaf, including their administration, public accountability and organization, since provincial schools for the deaf lack a system of public accountability, and since only one of the three schools possesses an advisory committee (that is itself appointed totally at the discretion of the superintendent of the school), and since the three schools among themselves do not use a common sign language system;
  - f) an examination of the use of American Sign Language as a language of instruction in the schools, which is now not recognized as either a heritage language or a language of instruction, and
  - g) an assessment of the Ministry of Education's role as it pertains to deaf education, an investigation into the fact that no Ontario faculty of education currently provides teacher training for the teaching of deaf students, and an assessment of the Ministry's mandate to collect province-wide data generally on issues regarding the quality, assessment, effectiveness, and success of the teaching of deaf students in Ontario.
2. That the Ministry of Education take immediate steps to involve representatives of the deaf community, advocates for the hearing-impaired and parents of deaf children in all levels of the decision-making process around education for deaf people in Ontario.

3. That the Ministry of Education immediately establish targets and time-tables for the hiring of deaf teachers and administrators in schools for the deaf.
  4. That the Ministry of Education report to the Legislature by November 1, 1988 on these initiatives. *April 25, 1988.*
  25. *Mr Eves*—Resolution—That, in the opinion of this House, the Government should designate the *entire* riding of Parry Sound, specifically the District of Parry Sound, as being part of Northern Ontario for the purposes of all government ministries, agencies, boards and commissions. *April 26, 1988.*
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## QUESTIONS

*(Questions are to appear on the day after they are tabled and on every subsequent day in the week they are tabled and then subsequently only on each Monday until an Answer (other than an Interim Answer) is tabled. A question tabled on a Thursday will appear on each day of the following week.)*

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121. *Mr Cousens*—Enquiry of the Ministry—Would the Minister of Transportation provide a financial budget for the construction of Highway 407 that will be allocated for construction in fiscal year 1988-1989, and give some indications as to when 407 will intersect with Yonge Street and Highway 404. What are the long term plans for Highway 407. When will the highway be built from highways 404 to 427. What plans are there to extend 407 east of 404 and when could this construction begin. *April 25, 1988.*
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## PRIVATE MEMBERS' BUSINESS TO BE DEBATED

*(Precedence in accordance with the Standing Order 71 (d).)*

Ballot Item No. 17—*To be debated on Thursday, April 28, 1988.*

*Mr Cooke* (Windsor-Riverside)—Resolution—That, in the opinion of this House, recognizing that the scope and recommendations of the Task Force on Inflation Protection for Employment Pension Plans failed to meet the concerns of workers and most particularly retirees whose pensions have already been eroded by inflation but who will get nothing from these proposals, this Legislature strongly urges the Government of Ontario to:

- introduce legislation to require indexation of all pensions with the same indexing formula applicable to current plan members, current pensioners and those entitled to a deferred pension.
- place an immediate moratorium on the use of contribution holidays which are, in fact just another means of surplus withdrawals.

Ballot Item No. 18—*To be debated on Thursday, April 28, 1988.*

*Mr Eves*—Resolution—That, in the opinion of this House, the Government should designate the *entire* riding of Parry Sound, specifically the District of Parry Sound, as being part of Northern Ontario for the purposes of all government ministries, agencies, boards and commissions.

Ballot Item No. 19—*To be debated on Thursday, May 5, 1988.*

*Second Reading* Bill 123, An Act for Informed Choice by Patients. *Mr Dietsch.*

Ballot Item No. 20—*To be debated on Thursday, May 5, 1988.*

*Mr Johnston* (Scarborough West)—Resolution—That, in the opinion of this House, the time has come for a major overhaul of provincial policies and practices concerning the education of deaf people in the province of Ontario. The House, therefore, makes the following recommendations:

1. That a thorough evaluation of deaf students throughout Ontario begin immediately, such an evaluation to include, but not be limited to the following:
  - a) an assessment of the reasons for the current quality of education provided to deaf students, which research shows provides few graduates of Ontario schools for the deaf and secondary schools with a greater than Grade 4 reading ability;
  - b) the effectiveness of current teaching methods for deaf students, which do not require the involvement of experts in deaf education when individual assessment of the capabilities of deaf children is made;

- c) the effectiveness of present classroom integration policies and support services as a result of Bill 82 (Special Education), which do not provide for paying the costs of interpreters;
  - d) the practices of hiring deaf and hearing-impaired teachers both in schools for the deaf and in the public school systems, as there are now just 8 hearing-impaired teachers among the 170 teachers in our provincial schools for the deaf, and only a handful of hearing-impaired teachers among the more than 500 teachers of the deaf in the public school system;
  - e) an assessment of the provincial schools for the deaf, including their administration, public accountability and organization, since provincial schools for the deaf lack a system of public accountability, and since only one of the three schools possesses an advisory committee (that is itself appointed totally at the discretion of the superintendent of the school), and since the three schools among themselves do not use a common sign language system;
  - f) an examination of the use of American Sign Language as a language of instruction in the schools, which is now not recognized as either a heritage language or a language of instruction, and
  - g) an assessment of the Ministry of Education's role as it pertains to deaf education, an investigation into the fact that no Ontario faculty of education currently provides teacher training for the teaching of deaf students, and an assessment of the Ministry's mandate to collect province-wide data generally on issues regarding the quality, assessment, effectiveness, and success of the teaching of deaf students in Ontario.
2. That the Ministry of Education take immediate steps to involve representatives of the deaf community, advocates for the hearing-impaired and parents of deaf children in all levels of the decision-making process around education for deaf people in Ontario.
  3. That the Ministry of Education immediately establish targets and time-tables for the hiring of deaf teachers and administrators in schools for the deaf.
  4. That the Ministry of Education report to the Legislature by November 1, 1988 on these initiatives.

Ballot Item No. 26—*To be debated on Thursday, May 26, 1988.*

*Second Reading* of Bill 12, An Act to ban Sunday racing and intertrack wagering at Greenwood Raceway and to change the composition and procedures of the Ontario Racing Commission. *Ms Bryden.*

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## BILLS REFERRED TO STANDING COMMITTEES

### STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Bill Pr1, An Act respecting Canada Christian College and School of Graduate Theological Studies. *Mr Allen. (Referred November 18, 1987.)*

Bill Pr2, An Act to revive Big Cedar Association. *Mr Owen. (Referred February 8, 1988.)*

Bill Pr4, An Act respecting The Ottawa Civil Service Recreational Association. *Mr Chiarelli. (Referred November 16, 1987.)*

Bill Pr11, An Act to revive L F P Management Limited. *Mrs Fawcett. (Referred April 12, 1988.)*

Bill Pr16, An Act respecting the City of Toronto. *Mr Kanter. (Referred December 8, 1987.)*

Bill Pr19, An Act respecting the City of Sudbury. *Mr Campbell. (Referred April 12, 1988.)*

Bill Pr24, An Act respecting the Hamilton Civic Hospitals. *Ms Collins. (Referred December 7, 1987.)*

Bill Pr25, An Act respecting Kingsway General Insurance Company. *Mr Cousens. (Referred December 9, 1987.)*

Bill Pr28, An Act to revive Mid-Continent Bond Corporation, Limited. *Mr Ray (Windsor-Walkerville). (Referred April 6, 1988.)*

Bill Pr30, An Act respecting The General Hospital of Port Arthur. *Mr Kozyra. (Referred December 3, 1987.)*

Bill Pr34, An Act to revive Machin Mines Limited. *Mr Kanter. (Referred February 9, 1988.)*

Bill Pr38, An Act to revive Prow Yellowknife Gold Mines Ltd. *Mr Kanter. (Referred February 9, 1988.)*

Bill Pr40, An Act respecting the City of Trenton. *Mrs Fawcett. (Referred April 12, 1988.)*

Bill Pr49, An Act to revive Lebon Gold Mines Limited. *Mr Kanter. (Referred February 8, 1988.)*

Bill Pr56, An Act respecting the City of Toronto. *Mr Kanter. (Referred November 30, 1987.)*

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## STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Bill 13, An Act respecting Environmental Rights in Ontario. *Mrs Grier.*  
(*Referred December 10, 1987.*)

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## STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Bill 50, An Act to provide for Community Mental Health Services. *Mr Reville.* (*Referred December 17, 1987.*)

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## MATTERS REFERRED TO SELECT COMMITTEES

### SELECT COMMITTEE ON EDUCATION

Consider and report on the role of the formal elementary and secondary school system in the successful transition of young students to adulthood in Ontario. (*Referred by Order of the House on February 11, 1988.*)

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### SELECT COMMITTEE ON ENERGY

Consider and report on Ontario Hydro Affairs. (*Referred by Order of the House on February 11, 1988.*)

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### SELECT COMMITTEE ON CONSTITUTIONAL REFORM

Consider and report on the 1987 Constitutional Accord (Sessional Paper No. 74), and matters related thereto. (*Referred by Order of the House on November 30, 1987.*)

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## MATTERS REFERRED TO STANDING COMMITTEES

(*In accordance with the Standing Orders, statutory annual reports of each ministry and of all agencies, boards and commissions reporting to each Minister for the immediate past reporting period stand permanently referred to the appropriate Standing Committees.*)

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STANDING COMMITTEE ON FINANCE AND ECONOMIC  
AFFAIRS

Consider and report on the Canada-U.S. Free Trade Agreement (Sessional Paper Number 108). (*Referred by Order of the House on January 7, 1988.*)

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STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Consider and report on Safety in Ontario Mines. (*Referred by Order of the House on January 7, 1988.*)

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## COMMITTEE MEETINGS

The Standing Committee on Finance and Economic Affairs will meet to consider the Free Trade Agreement as follows:

Thursday, 28 April	10.00 a.m.	Room No. 1
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The Standing Committee on General Government will meet for the purpose of organization as follows:

Thursday, 28 April	10.30 a.m.	Room No. 228
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The Standing Committee on Government Agencies will meet as follows:

Wednesday, 27 April	10.00 a.m. <i>in camera</i>	Room No. 230
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The Standing Committee on the Legislative Assembly will meet to consider matters relating to the Freedom of Information and Individual Privacy Act as follows:

Wednesday, 27 April	5.00 p.m.	Room No. 228
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The Standing Committee on the Ombudsman will meet to consider the 1986-1987 Annual Report of the Ombudsman as follows:

Wednesday, 27 April	9.30 a.m.	Room No. 228
to meet with the British House of Commons Select Committee on the Parliamentary Commissioner for Administration		
	10.30 a.m.	Room No. 1
to consider the 1986-1987 Annual Report of the Ombudsman		

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The Standing Committee on Public Accounts will meet to review the 1987 Annual Report of the Provincial Auditor as follows:

Thursday, 28 April	10.00 a.m.	Room No. 151
Section 4.4		
Ministry of Colleges and Universities		

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The Standing Committee on Regulations and Private Bills will meet to consider the regulatory process as follows:

Wednesday, 27 April	10.00 a.m. <i>in camera</i>	Room No. 2
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The Standing Committee on Resources Development will meet to consider accidents and fatalities in Ontario mines as follows:

Wednesday, 27 April	following Routine Proceedings <i>in camera</i>	Room No. 1
Thursday, 28 April	following Routine Proceedings <i>in camera</i>	Room No. 1

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The Select Committee on Constitutional Reform will meet as follows:

Wednesday, 27 April	9.30 a.m. and following Routine Proceedings	Room No. 151
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## ESTIMATES

TOTAL HOURS FOR CONSIDERATION OF  
ALL ESTIMATES ..... 381 hrs., 30 mins.

### IN COMMITTEE OF SUPPLY

(Estimates to be taken in order shown)

- |   |                  |
|---|------------------|
| 1. Lieutenant Governor,<br>Premier and Cabinet Office ..... | 7 hrs., 30 mins. |
| 2. Government Services .....                                | 7 hrs., 30 mins. |
| <i>(Includes supplementaries, Number 2)‡</i>                |                  |
| 3. Intergovernmental Affairs .....                          | 7 hrs., 30 mins. |
| 4. Management Board of Cabinet .....                        | 7 hrs., 30 mins. |
| 5. Revenue .....  | 7 hrs., 30 mins. |
| <i>(Includes supplementaries, Number 1)†</i>                |                  |
| 6. Francophone Affairs .....                                | 7 hrs., 30 mins. |

### IN STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

(Estimates to be taken in order shown)

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|---|--|
| 1. Treasury and Economics .....                   | <i>(Completed Tuesday, December 8, 1987)</i> |
| 2. Energy .....                                   | 5 hrs., 54 mins.                             |
| <i>(Includes supplementaries, Number 1)†</i>      |  |
| <i>(Adjourned at Vote 1301, Item 1)</i>           |  |
| 3. Attorney General .....                         | 7 hrs., 30 mins.                             |
| <i>(Includes supplementaries, Number 1)†</i>      |  |
| <i>(Includes supplementaries, Number 2)‡</i>      |  |
| 4. Consumer and Commercial Relations .....        | 7 hrs., 30 mins.                             |
| <i>(Includes supplementaries, Number 1)†</i>      |  |
| 5. Correctional Services .....                    | 7 hrs., 30 mins.                             |
| 6. Financial Institutions .....                   | 7 hrs., 30 mins.                             |
| 7. Office Responsible for<br>Native Affairs ..... | 7 hrs., 30 mins.                             |
| 8. Solicitor General .....                        | 7 hrs., 30 mins.                             |

†Supplementary Estimates Number 1 Tabled December 17, 1987.

‡Supplementary Estimates Number 2 Tabled February 9, 1988.

## IN STANDING COMMITTEE ON GENERAL GOVERNMENT

(Estimates to be taken in order shown)

1. Labour ..... 3 hrs., 06 mins.  
(Adjourned at Vote 2101, Item 1)
2. Northern Development ..... 7 hrs., 30 mins.
3. Office Responsible for  
Women's Issues ..... 7 hrs., 30 mins.

## IN STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

(Estimates to be taken in order shown)

1. Office of the Assembly ..... 5 hrs.  
(Includes supplementaries, Number 1)†
2. Office of the  
Chief Election Officer ..... 5 hrs.

## IN STANDING COMMITTEE ON THE OMBUDSMAN

(Estimates to be taken in order shown)

1. Office of the Ombudsman ..... 5 hrs.  
(Includes supplementaries, Number 1)†

## IN STANDING COMMITTEE ON PUBLIC ACCOUNTS

(Estimates to be taken in order shown)

1. Office of the Provincial Auditor .. (Completed Thursday, December 17, 1987)

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†Supplementary Estimates Number 1 Tabled December 17, 1987.

## IN STANDING COMMITTEE ON RESOURCES DEVELOPMENT

(Estimates to be taken in order shown)

1. Industry, Trade and Technology . *(Completed Thursday, December 10, 1987)*
2. Housing ..... *(Completed Thursday, December 17, 1987)*
3. Environment ..... 7 hrs., 30 mins.  
*(Includes supplementaries, Number 1)†*
4. Agriculture and Food ..... 7 hrs., 30 mins.  
*(Includes supplementaries, Number 1)†*
5. Mines ..... 7 hrs., 30 mins.
6. Municipal Affairs ..... 7 hrs., 30 mins.  
*(Includes supplementaries, Number 1)†*  
*(Includes supplementaries, Number 2)‡*
7. Natural Resources ..... 7 hrs., 30 mins.  
*(Includes supplementaries, Number 1)†*
8. Tourism and Recreation ..... 7 hrs., 30 mins.
9. Transportation ..... 7 hrs., 30 mins.  
*(Includes supplementaries, Number 1)†*
10. Industry, Trade and Technology ..... —  
*(Supplementaries only, Number 2)‡*
11. Housing ..... —  
*(Supplementaries only, Number 2)‡*

†Supplementary Estimates Number 1 Tabled December 17, 1987.

‡Supplementary Estimates Number 2 Tabled February 9, 1988.

## IN STANDING COMMITTEE ON SOCIAL DEVELOPMENT

(Estimates to be taken in order shown)

1. Skills Development ..... (Completed Thursday, December 10, 1987)
2. Office for Disabled Persons ..... (Completed Thursday, December 17, 1987)
3. Education ..... 7 hrs., 30 mins.  
(Includes supplementaries, Number 2)‡
4. Office Responsible for  
Senior Citizens' Affairs ..... 7 hrs., 30 mins.
5. Citizenship ..... 7 hrs., 30 mins.
6. Colleges and Universities ..... 7 hrs., 30 mins.  
(Includes supplementaries, Number 1)†
7. Community and Social Services ..... 7 hrs., 30 mins.  
(Includes supplementaries, Number 1)†  
(Includes supplementaries, Number 2)‡
8. Culture and Communications ..... 7 hrs., 30 mins.
9. Health ..... 7 hrs., 30 mins.  
(Includes supplementaries, Number 1)†  
(Includes supplementaries, Number 2)‡
10. Skills Development ..... —  
(Supplementaries only, Number 1)†
11. Office for Disabled Persons ..... —  
(Supplementaries only, Number 1)†

†Supplementary Estimates Number 1 Tabled December 17, 1987.

‡Supplementary Estimates Number 2 Tabled February 9, 1988.







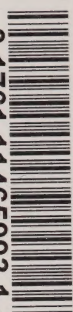












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